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Governmental History Documentation Project
Goodwin Knight/Edmund Brown, Sr., Era

Thomas Lynch

A CAREER IN POLITICS AND THE ATTORNEY GENERAL'S OFFICE

An Interview Conducted by
Amelia R. Fry
in 1978

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Thomas C. Lynch in 1966

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PREFACE

Covering the years 1953 to 1966, the Goodwin Knight-Edmund G. "Pat" Brown, Sr., Oral History Series is the second phase of the Governmental History Documentation Project begun by the Regional Oral History Office in 1969. That year inaugurated the Earl Warren Era Oral History Project, which produced interviews with Earl Warren and other persons prominent in politics, criminal justice, government administration, and legislation during Warren's California era, 1925 to 1953.

The Knight-Brown series of interviews carries forward the earlier inquiry into the general topics of: the nature of the governor's office, its relationships with the legislature and with its own executive departments, biographical data about Governors Knight and Brown and other leaders of the period, and methods of coping with the rapid social and economic changes of the state. Key issues documented for 1953-1966 were: the rise and decline of the Democratic party, the impact of the California Water Plan, the upheaval of the Vietnam War escalation, the capital punishment controversy, election law changes, new political techniques forced by television and increased activism, reorganization of the executive branch, the growth of federal programs in California, and the rising awareness of minority groups. From a wider view across the twentieth century, the Knight-Brown period marks the final era of California's Progressive period, which was ushered in by Governor Hiram Johnson in 1910 and which provided for both parties the determining outlines of government organization and political strategy until 1966.

The Warren Era political files, which interviewers had developed cooperatively to provide a systematic background for questions, were updated by the staff to the year 1966 with only a handful of new topics added to the original ninety-one. An effort was made to record in greater detail those more significant events and trends by selecting key participants who represent diverse points of view. Most were queried on a limited number of topics with which they were personally connected; a few narrators who possessed unusual breadth of experience were asked to discuss a multiplicity of subjects. Although the time frame of the series ends at the November 1966 election, when possible the interviews trace events on through that date in order to provide a logical baseline for continuing study of succeeding administrations. Similarly, some narrators whose experience includes the Warren years were questioned on that earlier era as well as the Knight-Brown period.

The present series has been financed by grants from the California State Legislature through the California Heritage Preservation Commission and the office of the Secretary of State, and by some individual donations. Portions of several memoirs were funded partly by the California Women in Politics Project under a grant from the National Endowment for the Humanities, including a matching grant from the Rockefeller Foundation; the two projects were produced concurrently in this office, a joint effort made feasible by overlap of narrators, topics, and staff expertise.

The Regional Oral History Office was established to tape record autobiographical interviews with persons significant in the history of California and the West. The Office is under the administrative direction of James D. Hart, Director of The Bancroft Library, and Willa Baum, head of the Office.

Amelia R. Fry, Project Director
Gabrielle Morris, Project Coordinator

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(California, 1953-1966)

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Bonderson, Paul R., *Executive Officer, Regional and State Water Pollution and Water Quality Control Boards, 1950-1966.*

INTERVIEW HISTORY

Times of Sessions: 1978, on April 21, 28, May 24, 31, and June 15

Place: Attorney General Lynch's home, 98 Clarendon Street, San Francisco

Transcript sent to Lynch: June 7, 1980
Transcript returned: January, 1981

The Interview:

In the planning session for these interviews with Thomas C. Lynch, he gave us his view of how people are structured in five groups in any political-governmental scene: (1) those who hold office, (2) those who work in politics because they have a natural affinity or an idealistic urge (like Roger Kent), (3) those in formal political entities like state or county party committees or structured grassroots organizations, (4) ethnic and "functional" advocacy groups like the Mexican American Political Association (MAPA), or organized labor's COPE (Committee on Political Education), and, finally, (5) those advisors "on the outside." Lynch sees himself as an example of the latter. Even though his importance is undeniable as an office holder (attorney general, and district attorney of San Francisco) and political worker (John F. Kennedy and Lyndon B. Johnson's campaigns), the role that was less visible at the time, friend and confidant of Edmund G. "Pat" Brown, is the one that others usually mentioned first when urging us to interview him. This interview is an attempt to preserve for history both the public activities and his significant contributions behind the scenes.

The interviews were generally held after lunch. To get to the Lynches' house one drives up sweeping curves to Twin Peaks and there, clinging to the hillside with a modest but deceiving one-story profile in front, the house spills down the hillside with a dazzling view north of San Francisco, the Golden Gate, and Marin County, and east to the Bay Bridge. With such a backdrop we did our taping, usually at the dining room table. His wife, herself a vigorous political organizer (see page 294), deliberately ran her errands so the house would be quiet, and only two cats remained to participate.

From the first, Lynch had been candid about his ongoing battle with cancer of the liver, but about the only concession he made was to schedule interviews so they would not conflict with his therapy schedule. This realism was consistent with his matter-of-fact view of the past, which he related simply and clearly. Evidence of his wit is sprinkled

throughout the interview, yet he did not cover reality with jokes nor with rationalizations of events. That contradiction may be why people say he is solemn. He was not solemn in our conversations. His humor is that of the ironies in the events themselves, not something he pastes on top for entertainment value.

He is at ease with himself. Tall and lean, he dressed casually for the session and took his job seriously. At mid-afternoon he made coffee or tea for a break, during which we usually recapped what he had covered and planned future topics. But he was not without a spirit of fun. At the end of one session, saying goodbye at the door, he promised the interviewer he had a surprise to tape the next time, something we would not have found in books or in the Pat Brown papers. Actually, he delivered several such surprises for, as he says in the interview, it was fun recalling the campaigns and the criminal-chasing days, and he was able to make them come alive with vivid details.

As background material for preparation of the interviews, we used Pat Brown's scrapbooks of clips from his own attorney general period (which were in Brown's possession in Los Angeles at the time), articles on the relevant campaigns in the Western Political Quarterly and the San Francisco Chronicle, questions gleaned from other interviews (especially those of Ann Eliaser and Theodore Westfall), and--as a sort of experiment, for this was 1978--a printout on "Thomas Lynch" from the University of California library's computerized information bank, which unfortunately did not stretch backward beyond 1966. Lynch dug out some valuable notes and memorabilia as a part of his own homework. A few items he donated to The Bancroft Library, including copies of Hollywood Life for February 6, 1953, and The Challenge of Crime in a Free Society, the report of the 1966 President's Commission on Law Enforcement and Administration of Justice, of which Lynch was a member. The first reflects the dubious practices of one Jimmie Tarantino, the second provides the findings of what Lynch felt was the most significant commission on which he served.

Teresa Allen emended the transcript and sent it to Lynch. His review of it was interrupted by a hospital stay, but even when confronted by ten pages of questions attached to a difficult transcript, he was undaunted. The problem was a buzz in the tape recorders that apparently grew louder as each session progressed. He had bent his considerable abilities to the problem during our interviews by testing variables of different wall plugs, substituting his tape recorder or different ones of the Regional Oral History Office, and trying battery power. Nothing seemed to help a great deal, and the resulting "inaudibles" were rescued only by his patient work on the transcript, which was finally tied up with a quick review of troublesome pages in concert with Gabrielle Morris from ROHO. The whole episode probably gave us an example of how Lynch typically dispatched a problem using two techniques he says he learned as a very young man working for Fireman's Fund: "a passion for detail, and getting things done right now." [page 8]

This, then, is a conscientious picture from the inner sanctum of California government and politics during the Goodwin Knight-Pat Brown Era, plus a few thoughts on Ronald Reagan as governor, with whom Lynch served California during Lynch's second term as attorney general. The sessions were fascinating, often amusing and always educational for the interviewer. The transcript should similarly lighten the day of even the most jaded researcher.

Amelia R. Fry
Interviewer-Editor

27 May 1982
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I FAMILY BACKGROUND, EDUCATION, AND FIRST JOBS

[Interview 1: April 21, 1978]##

Growing Up in San Francisco

Fry: I thought we'd start out with your own childhood and schooling and get your background and family.

Lynch: Well, my background is I was born here in San Francisco on May 20, 1904. My father, Patrick Lynch, obviously was an Irishman. He came over from County Kerry. My mother was born here in San Francisco. Her name was Mary O'Connor. My mother died in 1906, when I was two years old. My father was killed in 1913. Thereafter I lived with a succession of uncles and aunts--two of my mother's brothers and my father's brother. Then I went on my own, practically, when I was eighteen.

I went to Catholic schools--Mission Dolores Grammar School out where I lived in the Mission district of San Francisco. Then I went to St. Ignatius Grammar, in the days when they had one. That will confuse some people because they haven't had one in many years. Then I went to the prep school at the University of Santa Clara, which is now called Bellarmine. I went one year to college at Santa Clara, and I had to quit and go to work.

I worked in a number of jobs. I went to sea for about a year, worked for an electric company, and worked in a post office. Then I got a job at the Fireman's Fund Insurance Company. That would be in 1923, when I was nineteen or twenty. I worked there for ten years. I wound up as a fire underwriter for southern California,

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##This symbol indicates that a tape or a segment of a tape has begun or ended. For a guide to the tapes see page 300.

Lynch: Mexico, Nevada, Arizona, which at that time was allegedly a pretty good job for a young person. But it didn't pay any money. We always used to say in those days that Fireman's Fund was a great place to work if you could afford it.

In the meantime, I started going to law school in 1925 or '26, at night. That was at then St. Ignatius College, which of course now is the University of San Francisco.

Fry: Was all of this in the San Francisco Bay Area, including living with your aunts and uncles?

Lynch: College, of course, was in Santa Clara. I boarded there. But, yes, this was all done in the Bay Area. I've never done anything outside the Bay Area. That is, on a permanent basis.

So, while working at the Fireman's Fund, I spent four years in law school. St. Ignatius College was then a four-year law school. I believe now most of them are three. I graduated and passed the bar the same year.

I wanted at that time to get a quasi-legal job with the Fireman's Fund. The only opportunities there were in the automobile department, having to do with claims, or possibly in the marine department. But they told me very nicely that I was a highly-trained fire specialist, and that they didn't want to lose me, which I seriously doubt.

In any event, I had an opportunity, through family connections, to approach one of our then senators to get an appointment as assistant U.S. attorney, because at that time (that was during the Depression, the Roosevelt era)--

Fry: Which family connection?

Lynch: My wife's.

There's a question about publication of this. That has a lot to do with what I say. [laughs]

Fry: You can put it under seal. We have an interview with our present Chief Justice that's under seal until 1990. You can put it under seal or make several different kinds of arrangements under a written agreement.

Lynch: All I would want it to be sealed for would be my lifetime, which is not going to be very long, and for my wife's lifetime. Under those circumstances I'd probably have a lot more to say than I would otherwise.

Fry: Why don't we just assume that most of the interview will be under seal. When you get the transcript back, you can look at it and decide which parts you want to edit or seal.

Lynch: All right.

If it's of interest that I give details on some of these things, for example on how I got to be an assistant U.S. attorney--I got that through William Randolph Hearst. [tape off briefly]

Fry: I'd like to fill in more also on your childhood, what sort of experiences you had with these various aunts and uncles, and how you evaluate your childhood.

Lynch: All very pleasant, all my experiences as a child. Of course, I had the trauma, I suppose, of having no mother and no father, [laughs] a typical orphan. But, as one of my sons remarked one time, he thought the only way to go into politics is to be an orphan, because they always used to play on the fact that I was an orphan.

Fry: Being an orphan was politically good material?

Lynch: Yes, a political asset. It was, I suppose, slightly traumatic. It did make me a tremendous introvert. I'm not a person who reposes confidences in people. I'm completely self-sufficient as far as relying on somebody is concerned. The only confidants I've had--oh, I'd say the two people who've been closest to me in my adult life are Pat Brown and Gene McAteer. We're very, very close friends. I don't think Pat Brown has ever had a closer one, nor did Gene McAteer, but that's about the extent of it. I've been described as "sardonic," as "the man who never smiles." I'm sure that's part of my childhood. I do smile.

Anyway, my childhood was not unpleasant. My uncles and aunts were lovely people. I lived over here on Fourth Avenue with my uncle Tom O'Connor, who was a well-known lawyer in San Francisco, a very successful one. He died at the height of the original flu epidemic, around 1917.

Fry: I wondered if you had had an attorney in your background.

Lynch: Oh, why, they were all attorneys. I was at Santa Clara at the time Tom O'Connor died. He died, I guess, in '17 or '18.

Fry: You did have a lot of deaths of people close to you.

Lynch: That Tom O'Connor was incidentally, the father of our just-retired city attorney, Tom O'Connor. Tom and I always kept that a secret, that we were first cousins, because somebody might jump on it and say, "We have a little bit of nepotism here with the district attorney and the city attorney being first cousins."

Lynch: After that I lived with Tom O'Connor, senior's brother, Richard O'Connor, who was also an attorney. Tom O'Connor was a trial attorney. Dick O'Connor was a corporation attorney, a house attorney, who represented big companies like Langley and Michaels. They were the forerunners of McKesson-Robbins and people like that. He [Dick O'Connor] was also very prominent in the Bohemian Club. I think he was one of the going-way-back members.

Fry: Did you live with any cousins your age?

Lynch: Yes, with Tom O'Connor's son. Young Tom O'Connor is a little bit younger than I am, and my cousin Margaret was probably about five years younger. Then there was another one, a younger one, Edward, who was killed in the war. But I had left the O'Connors long before the war, of couse.

A Jesuit Education

Fry: Were you in all Catholic grade schools?

Lynch: Yes, I've never been to public school. Part of grammar school was Jesuit; it was all Jesuit schools, yes. I was in a typical, old-fashioned Catholic grammar school at a parish school, with old-maid teachers and such. I can remember the name of one of them, Miss King. I can remember Brother Anthony because he used to wallop me once in a while.

Fry: Discipline was pretty fierce there?

Lynch: You were disciplined, yes. You were always disciplined in Jesuit schools, up until the present day. You were disciplined in your learning and in your--you got an education, period. I enjoyed it very, very much. I'm very pleased that I had the opportunity to go to Jesuit schools.

I remember Pat Brown making a remark to me one time. It was a question of morality in something, and he had some people who were telling him it was wrong to do a certain thing. They were putting it on moral grounds, Catholic morality. I disagreed [laughs], and for reasons which I thought, as a Jesuit trainee, were good.

I remember Pat looked at me and he says, "The trouble with you, Tom, is you're not a Catholic. You're a Jesuit," [laughter] which is probably true.

Fry: What's the difference between Jesuits and other Catholics?

Lynch: Jesuits are highly trained people. They're not ordained until they're thirty-three years of age. Most of them, if they show any promise at all, are educated in the great universities. They'll go over to Liege or to Louvain, in Belgium, and be educated there or at Woodstock, Maryland. If they show any inclination toward a particular subject, they become masters of it. That's all they do is teach. They are a teaching order, period. And when they teach, they teach.

Fry: Did this make a reader out of you when you were little?

Lynch: Yes. I read poetry. We used to have a little game out at Tom O'Connor's house. He'd give us a poem every week to memorize for Sunday. It was fun. It wasn't taking on the woodshed, or something like that.* I can remember most of them. Some were corny; some were not. It's given me great pleasure. I can remember Byron's "The Prisoner of Chillon," and then going there. I went there a couple of years ago, and it was just great fun.

Fry: Adds a lot.

Lynch: And adds to being in Greece and Turkey and other places. We got a lot of that. Well, you can see we're readers. You can tell by the books here. Most of them are good books. We like to keep current. My son's a great reader too. He went to St. Ignatius and Notre Dame. My other boy went to several universities.

Fry: He sounds like one of the modern kids.

Lynch: No, he isn't; he isn't. He's strictly down the middle. He went to Santa Clara, and after two years he went to the University of Grenoble. Then he went to the University of Paris. Then he came back and went two more years to Santa Clara. In the meantime he also went to San Francisco State while he was going to Santa Clara. He went to San Jose State. Then he went in the Army and went to the University of Kentucky. Then when he was assigned to Washington, he went to George Washington University so he could practice basketball.

Fry: [laughs] Are both of your sons also in law?

Lynch: No, neither one of them is. Casey [Kevin Conor Lynch] is a professional photographer and artist. Mike [Michael Summers Lynch] is a business manager for a big construction company in Europe.

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*In response to editor's query, "taking on the woodshed" is "a Fourth Avenue colloquialism."

Fry: I was thinking, driving over here, about the impact on our state government that the Jesuits have had. In Earl Warren's administration I think the man closest to him was a Jesuit. That was his executive secretary, who is now Judge [William T.] Sweigert.

Lynch: Yes, Bill Sweigert is a USF man. Yes, he was very close to Warren. He is semi-retired. I'm sure Sweigert went to Catholic grammar school and high school and college.

Fry: It would be interesting sometime for somebody to pick out where these Jesuits have influenced state government.

Lynch: Don't you realize that that's what the Jesuits have been accused of.

Fry: Oh, of a plot? [laughter]

Lynch: All their history. That's why they were thrown out of so many countries in former times.

Fry: We may start a whole new inquisition.

Lynch: That's what all the people say, you know, that all these Jesuits are always the men behind the scenes. I always refer to the director general of the order as the "Black Pope" because Jesuits always dress in--they do not advance in the hierarchy of the church except for expeditious reasons. For instance, they had a Jesuit bishop years ago up in Alaska only because he was the only guy up there. That was in one small place. There might be a few Jesuits in the church hierarchy, but ordinarily, no. There could be a cardinal, but that's not really--that's not in the chairs. The highest you can be is a bishop.

Fry: Wasn't Jerry Brown's training Jesuit?

Lynch: Oh, yes.

Fry: So that's not someone who's <u>behind</u> the throne, now. You've got somebody <u>on</u> the throne.

Lynch: [laughs] He went to Alma College, which is part of Santa Clara, the Jesuit novitiate.

Fry: What about sports? Did you play?

Lynch: I just played them like every other kid does. I played basketball. I wasn't very big until later years. And I played football. In fact, I played football with a couple of movie stars, Lloyd Nolan and Andy Devine, who was then known as Goosey Devine. And I used to swim a lot, up until about 1930. I swam across the Golden Gate and decided that was enough.

Fry: There haven't been very many people to swim across the Gate, have there?

Lynch: Oh, yes. Little girls do it. [laughs] Jack LaLanne does it underwater, towing an elephant.* [laughs]

Fry: [laughs] That's Jack LaLanne; he's not human.

It sounds like you had a terribly well-rounded life. Did you take part in San Francisco's art world and music world?

Lynch: No, I had no talent in that way at all. I didn't.

Fry: Were you an opera fan?

Lynch: No. My wife is. She went to the symphony night before last.

Work Experience and Law School

Fry: When you went into Fireman's Fund Insurance Company, what experience did you get that proved useful later on when you went into law enforcement?

Lynch: I think what I got out of it was--you had to be accurate. You had to make judgments, and they were final judgments. They could cost a lot of money, and you had to do it right away. You didn't wait until tomorrow. In other words I had to clear my desk, technically, and I did. Not everyone did. I'd like to clean it out every day.

It was fire underwriting--you weren't soliciting business or anything like that--all of which is done now with computers, so the job probably doesn't exist. You would take insurance risks coming in--policies were sent in by the agents--and you would underwrite them. So we'd determine how much the company would retain, how much we would reinsure, how much we'd send to London, or whatever else we'd do with it.

Even in our own office, we'd set up what we'd call bookkeeping accounts, which we used to keep track of various types of risks. In other words if you insured a burning building, it would go in grade thirty-two. But there were little bookkeeping gimmicks that would enable you at the end of the year to tell what your experience had been. Then you would revise your methods.

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*A popular physical-fitness advocate, and educator.

Lynch: That experience gave you almost a passion for detail and getting things done right now. Don't wait till tomorrow. I did use that in my years in the DA's office. We got so we'd think nothing of going twenty, twenty-four hours. I used to work murders. The homicide staff and I used to say in a murder case that we would go out and investigate the murder and that when we got through we could try the case. That was our objective. We didn't always. That was only sort of a slogan that we had, but it was almost true.

Fry: Could you do that today? Wouldn't someone object to the overtime?

Lynch: Oh, no. There wasn't any overtime. I don't think so, no. If you get into that type of life, forget it. I don't think the present people in the DA's office or in the attorney general's office--some of them might. You know, they're civil service-minded.

But the person who wants to get someplace, he'll work. I've met people in the AG's office that--hell, they'd call you up in the middle of the night if something happened and say, "Can I be of any help?" That's the only ones you'd use to help.

Fry: Do you have any memories of a particular professor in law school?

Lynch: Yes, I remember them all. I don't think any of them contributed anything, which is maybe a rough thing to say, but it was true because most of them were ill-paid. They weren't of the caliber that perhaps they have now. I don't know, but I'm familiar with Boalt and Hastings. They were nowheres near--these were working lawyers mostly, or unsuccessful lawyers, who sort of beat out a little bit of a living. If you've been around a small college town, you've run into these people. Some of them didn't even practice law. They just taught, but on a particular subject, they were bound by the book. It was casebook teaching, strictly.

Nobody could, as they do in the law schools today, bring you what's going on downtown. I used to speak at Cal [the University of California, Berkeley] and Stanford and up in Sacramento at what was then McGeorge and at Golden Gate, all of them. That was all part of the criminal law course, for example.

In my day they didn't have anything like that. You'd get your criminal law teacher from the criminal law profession. I had one that lived across the street that taught at Hastings, Dean Snodgrass. You remember, he was the dean there that died recently. He brought in all the old fellows. He had some fellows down there eighty years old. They were teaching out of textbooks that they'd written themselves. [laughs] Although they were all lovely people, you did the work yourself really. It was just pretty much like most of the big colleges are today. You don't get taught. You get assignments, and you either do them or you don't.

Fry: How did you pass the bar?

Lynch: I don't know. [laughs] It's probably a mystery to some people. The bar exam in those days was--it's still, I'm sure today--not based on an accurate answer, but on your reasoning; in other words if you recognized the problem. As you know from the decisions coming down from the Supreme Court and other places, decisions are split five to four, or five to two, or whatever it might be. So, there are two sides. I don't think it was terribly important in those days, and I'm not sure that it is now, that you accurately foretell the decision, but rather that you show that you know the law that applies on either side.

Fry: Did your Jesuit education help in critical thinking?

Lynch: I think it did, yes. For instance, there were shotgun questions, which I understand they don't give any more. In a half a day of shotgun questions, I think there were two hundred yes-and-no questions. The law of averages tells you that you can fire a shotgun at them and come out at least even. So, if you apply a little bit of your knowledge, you'll recognize some of them. Don't worry over them. Just go right down the line.

But you can't tell in a bar ex. I can remember the brightest fellow in the four years I was there was a blind man, a brilliant fellow. We always used to go to him to find the answers. But he flunked. When he'd come out of the bar ex, we all gathered around him; he gave us all the answers. So we all went home, and at the end of that episode we passed and he didn't. And he should have.

Lynch is Named Assistant U.S. Attorney for Northern District of California

Fry: Then when you did get placed, it was in the U.S. attorney's office? Or did you have a period out of work there?

Lynch: No, I stayed at Fireman's Fund until I got this job. I got it through the recommendation of Senator [William Gibbs] McAdoo, who was then the Democratic senator from California. It caused a little bit of consternation because I wasn't a politician. I never had been--which we'll go into later I'm sure--in the regular sense of the word. I didn't play politics; I never did. I still don't. But I've had to, which may sound a little bit contradictory, but it's true. A number of the Democratic bigwigs around town including Bill Malone, who was the the boss of the Democratic party--

Fry: Yes, I think he had the federal appointments pretty well sewn up.

Lynch: He did, right in the bag--he and John V. Lewis, who was the collector of customs, or some other darned thing. They all would call each other up [laughs] and say, "Who the hell is Lynch?" because they'd been told to write letters of recommendation.

McAdoo called them and says, "Write a letter of recommendation for Tom Lynch." Well, that's politics. The letters had to come from--as Bill Orrick and I always refer to them--Malone's men. "Let's do something for Malone's men." This is in later years. So that was the great mystery. Anyway, I got the job, and I stayed there for ten or so years [1933-1944].

Fry: What was your position?

Lynch: I had charge of certain areas. I represented the Secret Service, for example. I also tried all the war-risk insurance cases which arose out of World War I. In World War I you had your typical GI insurance. For $6.60 a month, you got $10,000 insurance. Most of the GI's, and I suppose it was true in the next war, let it lapse, although it was the best insurance you could buy.

There were a couple of relevant decisions that came along much later. This is a little complicated. If you had money coming to you through compensation--in other words if you put in a claim for compensation--you'd get an award from the time that your disability allegedly started. But the government would not pay you for that entire gap. They would pay you back either one or two years, no more. I don't know what the reason was, but that was it.

Somebody came along with the theory that even though the government didn't pay you the money, they owed you the money from the time the disability started. The theory was that you could credit that to your account, and that credit would pay your insurance premiums.

Fry: So if you had let your premiums lapse, that debt would pay you up.

Lynch: Yes, and it did. So, everybody and his brother, frankly, came in. They had more damn things wrong with them. I think I inherited something like 250 of those cases. One man was trying 90 percent of them, and he was just winning every damn one. He'd get 10 percent of the big award, whatever it might be. That would be all the accumulated payments that were owed, and then he'd get $5.75 a month for each case. So, if you won a hundred cases--and it was shown that he did, when Congress had an investigation of it one time--you would get $575 a month from the government, for as long as the veterans lived, if they got permanent disability. If it was something like being blind, or totally incapacitated--two legs or two arms--the payment would be double.

Lynch: So, I inherited all those cases, and they were losers, but I managed to win over 50 percent of them and sort of turned the tide. Pretty soon it became rather unpopular.

Japanese-American Relocation

Lynch: Then I represented the Secret Service, which was a lot of fun. I really enjoyed it. That gave me my criminal experience.

Then I had crimes on government reservations and criminal income tax. When World War II broke out, Al Zirpoli, who is a federal judge, and I worked with Tom Clark. He afterwards became Justice Clark. (That's old Tom Clark, not his son Ramsey.) And right afterwards Wally Howland, of all people, worked for me in the AG's office on the handling of aliens.

Fry: Including the Japanese-Americans?

Lynch: That's right.

Fry: I wanted to ask you about that.

Lynch: I know a lot about it.

Fry: The justice department, as I understand it, was one of the long holdouts on the decision to evacuate them.

Lynch: I was, personally, but that was battling the wind. I can remember a classic remark was made to me by either General John L. DeWitt or the other guy--I've forgotten his name--but I was arguing with him about the evacuation. Being very vulgar, probably, I said, "You mean to tell me some little kid is a menace to the United States?--you know, the usual thing you would say. I remember he just looked at me and says, "What are you, a Jap lover?"

I said, "No, I'm an Irishman, and you just try and throw the Irish out and see what happens to you." But I had to do the job.

Fry: This decision rolled around from right after Pearl Harbor.

Lynch: That's right. Earl Warren was one of those highly in favor of it. He supported it. He was attorney general at the time.

Fry: Did you have any contact with him?

Lynch: Quite a bit. He was a very close friend of mine all through the years. I had nothing to do with his policy-making or anything like that. No, that was accidental.

There was a little bar and restaurant at Seventh and Mission, the Waldorf, run by an Irishman. He used to live right over here. I've forgotten his name, too. But the fellows from the attorney general's office--and there were only a handful in those days--used to have lunch at the Waldorf. It was a good place to have lunch. We from the U.S. attorney's office were just down the street, at Seventh and Mission. We had lunch there, so we got to be very friendly. I knew Earl and he knew me. He always called me Frank, but that was all right.

Fry: Warren says that at first he wanted the Japanese-American relocation to be a voluntary thing, and then later on it was made--

Lynch: I've got his book over there. I'd say he was pretty gung ho on it. He did change his mind later and regretted it, as everybody did, I think, except General DeWitt probably. In fact, I think DeWitt got a medal for it.

Fry: You found that General DeWitt was pretty adamant?

Lynch: Oh, yes.

Fry: Was the other man General Karl R. Bendetsen?

Lynch: That's the one, Bendetsen. He was just as bad. They were out to "get all these so-and-so Japs outta here," which on a selected basis nobody would argue with.

They did the same thing to the Germans. The worst case was the Italians. You know, the least offensive people in the world are old San Francisco Italians. I know. I was born in this town. I had to issue orders for people like the fellows who ran Joe's Restaurant over in North Beach [San Francisco], and Al Zirpoli's mother and father. We had to let them know they were under restrictions. They were aliens. Al was working with me, [laughs] and they were looking at him. Al's father worked for the Italian consul, and he was Italian born. He retained his citizenship.

Guido Lenci was another. We've known each other for years because of the similarity of names. He always said that his name was Lynch in Italian. He was a prominent businessman over in North Beach.

They ran off one lady--they issued an order--they were selective on the Italians, but with the Japs, "intern them."

Wartime San Francisco: Restrictions on Germans and Italians

Fry: What did you do with the Italians and Germans? They weren't sent to camps.

Lynch: No, they had to get curfew passes. It was the age of silliness, and if I wouldn't burden the record I'll give you a perfect example of it. This does reflect on Tom Clark, who's a lovely, lovely guy, but he didn't know what he was doing.

Fry: Yes, he was sent out here when he was fresh on the job.

Lynch: Yes, and so was Howland. They were good men, but they didn't know San Francisco. So they were issuing an order that no Italian or German could be within x yards of the waterfront, which in and of itself, in the abstract, is all right. But they didn't know San Francisco.

I'm sure you do. You go down to Third Street and there's a creek running up there. Actually, although not full of water, the creek goes quite a ways up. We had rather irreverent names for those creeks. One of them is known as Islais Creek. That's the proper name, and because of its odor it has another name. There's another one out there at Channel Street. If you go out Third Street, you cross those two big drawbridges. The streetcar used to run there. Everybody who came in from that part of town had to come in on those streetcars. Well, if the Germans and Italians followed the order, they'd have to get off [laughs] at the bridge and walk around the end of the creek, because that was "navigable water," and then come back and get back on the streetcar and make it down to Third Street and do the same damn thing.

But it was worse than that. You're familiar with Ghirardelli Square. On the up side, it's North Point Street. There was a streetcar that ran on that street. The line measuring x yards from the waterfront came right in the middle of the street. So, you could go to work in the morning, but you couldn't come home at night on the same streetcar. [laughs] We started pointing that out, saying, "Now look, let's be reasonable about these things."

Then we had trouble because they couldn't go more than x miles and they'd want to go down to the Italian cemetery. They'd have to come in and get a pass. It was the age of absurdity. We just issued the passes; I did. It didn't bother me. I was an Irishman, and they couldn't export me. But people would come in, and I would just give them a pass. We were supposed to screen everybody and have them fill out affidavits that their grandfather was dead and they were sure he was buried, a lot of nonsense.

Fry: I understand that the FBI and the Navy intelligence pretty well had a good idea, by the time World War II broke out, of who the really suspicious aliens were and that they were rounded up immediately after Tom Clark--

Lynch: I don't think that's true. They knew some of them. Actually, what we had in our desk were warrants in blank, signed by the president. They weren't literally signed; they had his signature on them. I don't know the authority for issuing them, but obviously it was one of his wartime powers. All the FBI had to do was just come in and write a name on it.

Fry: So they were still rounding them up.

Lynch: They did round them up. There's no question about that.

Fry: These were thrown in jail. They weren't put in camps. They were actually detained until--

Lynch: Operating around here was a German Bund, you know, what would be the Nazi party today. They were called the Bund. They were here. They used to have meetings up at the German Hall, now called California Hall, up on Polk Street. You'd be surprised at who used to go to those meetings.

Fry: Who?

Lynch: Local people, I mean judges. I went there one night. The Steuben Society was having a meeting, and this was political. So, you go to the meeting to get introduced, you know. I thought they were going to go marching on to Berlin. A Senator who was very, very pro-German--he was from one of the Middle West or mountain states, like Montana--he was up there praising Hitler. But he was very pro-German. He had that reputation.

They used to meet out in Dublin Canyon. You'd drive out there in the evening, or Saturday night, and you could see all these flares. There's a little park as you go out Dublin Canyon, before you get over the hill to Dublin. It's still there. They'd meet and you'd see the Nazi banners. They picked up those guys. They chased them out.

Once or twice they would pick somebody up, and we'd file a charge against them that said they evaded or avoided--or whatever the language was at the time--the presidential order. Or maybe it was DeWitt's order, I don't know. We'd bring them into court and present them to the court.

Lynch: Some people came back, too. I can recall an Italian, a very prominent lawyer here in town. I've forgotten his name now. He came back and defied them, and they just kept very quiet about it. [laughs]

Fry: They just let him stay?

Lynch: Yes. I believe it was Sylvester Andriano. He was a perfectly lovely gentleman and a fine lawyer. At that time, the U.S. attorney was Frank Hennessey. I said, "What do you want to do?"

Frank said, "The hell with it," and that was it. He just forgot about it.

If anybody else had come in with Andriano's reputation, it probably would have been the same thing.

Fry: The difference between the treatment of the Germans and Italians and the treatment of the Japanese is that with the Japanese, you were taking American citizens and putting them in the camps. You didn't ever have to do that, did you, with the Germans and the Italians?

Lynch: No, not unless the FBI picked them up. Most of the time we didn't know that. The FBI took them down to Sharp's Park, as I recall now. It just comes back to me. They had a little camp down there. But these were for people they considered subversive aliens. What the FBI did with them after that, I don't know. They had the power to move them around.

Fry: That would have been shortly after Pearl Harbor?

Lynch: Yes, this terrible period.

Fry: Were you aware of the ship sinkings going on at that time along the coast?

Lynch: There weren't any. You couldn't have believed all that. My wife's family comes from San Simeon. There were a couple of submarines. One Japanese submarine came over and fired a few shots down by Carpenteria, and a couple more. They hit a boat, I think, up around San Simeon.

Fry: There were sinkings in San Luis Obispo harbor too.

Lynch: Yes, well, that was in Avila. That's all there was. But if you listened to the reports of the day, you would have thought the Japanese had planes flying over Los Angeles!

Fry: These ship sinkings weren't reported at the time. I wondered if the U.S. attorney's office was aware of that at the time.

Lynch: No.

Fry: Earl Warren's office was. We were so surprised to hear about it from Earl Warren that we checked it out.

Lynch: Did he sink them? [laughs]

Fry: [laughs] No. We checked it out.

Lynch: Did you find out they did happen?

Fry: Yes, they are in the Coast Guard and Navy records.

Lynch: Were these ships torpedoed?

Fry: They were torpedoed by a submarine.

Lynch: How many?

Fry: There was one in San Diego, and two in the San Luis Obispo harbor about twenty-four hours apart.

Lynch: Are you sure the Japs did it, and we didn't?

Fry: No, we don't know who did it. Do you really think that we--

Lynch: I had a friend who sank an American ship. He was a torpedo man. It happened over off one of these South Pacific islands. It was a barge. They were having target practice. No, it was only a joke. He said he was the only American torpedoman who ever sank an American ship. It was target practice, and he hit it right square in the middle. [laughs]

Fry: These were part of a shipping fleet. The reason I wondered if you were serious is because I have heard people seriously say that the torpedoing at Carpenteria near Santa Barbara was done by Americans who wanted to be sure that the Japanese-Americans were evacuated, and that if they shelled--

Lynch: That was a shelling. You know, they blew up those old oil tanks down there. I remember that. I remember the people around San Simeon telling me that there was a big explosion one night. Our house was right on the beach, and I think my wife's folks told me that they remembered the explosion. Everybody was scared to death.

Fry: It was really hysteria, wasn't it?

Lynch: Yes, it was real hysteria.

Fry: Do you have any other stories to tell about the Japanese-American question?

Lynch: No. I met a lot of the Japanese who were relocated afterwards. One of the fellows, name of Saburo Kido, afterwards became a very close friend--and also Mike Masaoka. Mike later became head of the Japanese-American Citizens League. I always chuckle when I think of him because he didn't speak Japanese.

Fry: Yes, he was very American.

Lynch: He's living in Washington.

Fry: What was Tom Clark's title then?

Lynch: He was just working in the justice department as an assistant attorney general. He was sent out to implement this program.

Fry: If you worked with him at all, I'd like to know what sort of questions he was struggling with.

Lynch: I would say that he was struggling with instructions that he had; Number one, to see to it that anything that the general needed in order to get the Japanese out of here, that was in any way in legal form, would be done. Whether or not Clark and Howland originated the curfew regulations or the surrender of property regulations, I don't know. I'm sure they probably got them from Washington. Number two, implement those regulations.

We confiscated cameras and radios that were capable of getting beyond the regular band. An ordinary radio goes from fifteen something to--I don't know what it goes to--three thousand or something. If it in any way could be interpreted as a shortwave or high-wave radio, it was subject to confiscation. I guess we helped in drawing up merely the type of paperwork that was necessary to do that, issuing news releases or proclamations or whatever you want to call them, so that people were informed that they did have to do these things.

This was about it, but that kept you pretty busy. And also there was providing for the FBI men the presidential warrants that we had in our desks. Those, in addition to our other duties. See, this was just piled on us.

We were hysterical, too. I remember staying in the office. When war broke out, I left home. My wife had gone to church. I went over to the gas station. It was on a Sunday, of course. The guys in the gas station said, "Did you hear what the hell happened?"

I said, "No."

Lynch: They said, "The Japs are bombing Pearl Harbor." I was living in Burlingame. I went right up to the office, and I didn't get home until about December 12. They brought in mattresses, and we slept on the floor. The wires were flashing between here and Washington. Everybody was pretty hysterical.

Fry: Did you expect bombing on the West Coast?

Lynch: I guess we did, yes, but if you think back, it was impossible. The Japanese didn't have the capability, unless they brought their carriers.

Fry: But you didn't know where their carriers were, right? I understand there was talk of submarines in the harbor here.

Lynch: I never heard that. One of my recollections is some of the people who were volunteering for being air raid wardens, they were a greater menace than the Japanese. The guy in my neighborhood, I took a shotgun away from him. He was marching up and down with a tin helmet on, left over from World War I. He came up and rang my doorbell. I've never forgotten it. Of course, I was young, and meaner than I am now, and I'll never forget the conversation because he said--and he's got the shotgun--"Is your radio off?"

I said, "Yes, of course it is."

"Good. Leave it off." And he marches away. [laughs] So I followed after him. You know, there's no trick to take a shotgun. I just reached and pulled it from the back, see? I took it away from him and popped the shells out of it. He had no business carrying that thing around.

About ten minutes later, I hear this sound. I lived right next to a highway on what they called Highway Road. It was parallel with a little parkway down in Burlingame. I heard this clippity-cloppity-cloppity-clop [laughs], and I go out in the dark and here are hundreds of horses going by from Monterey. The cavalry was going to entrain, or "enship," for the Philippines, if you can imagine that, on horses! I don't know where they were sending them. They were on their way north. I don't know whether they ever got there or not. But that's typical of the age.

Counterfeiters and Gangsters##

Fry: What did you do as representative for the Secret Service: You did their legal work?

Lynch: Yes, that was the custom of the day, that various federal government departments had, as sort of their own attorney, one of the assistant U.S. attorneys. We were all assigned to various governmental departments. I had the Secret Service, which I thought really was the plum because it was the most fun.

There was lots to do in those days. You had the Gold Embargo Act, and there was a lot of counterfeiting, as always, and government checks. There was a lot of forging in government checks because all the veterans were getting checks. One favorite trick was at the first of the month thieves would go around and look at the mail boxes, particularly an apartment house. They'd just see that very telltale brown envelope with the window showing a green check, and you were in business. Anybody would cash the damn things. So that was a big business. We had a lot of counterfeiting. We had some big counterfeiting cases.

Fry: Did you handle the investigation of that or did the Secret Service?

Lynch: No, we did the prosecution. I worked a little bit with them. If they built up a case, or were about to bust it open, you'd usually get in on it because it would give you a better view of what you were going to do in the prosecution, if you had to prosecute.

Al Zirpoli and I also handled habeas corpus, which was a big business. It's changed since our day. It was much more complicated in those days, for technical reasons. You couldn't get a writ just by applying for one. You had to get an order to show cause why the writ should be issued, and we could debate as to whether or not they might even be entitled to have a writ. You'd get a lot of cases thrown out that way.

The reason habeas corpus was big business was because Alcatraz had just been inhabited by a lot of unsavory characters [laughs], including Al Capone, Machine Gun Kelly, Creepy Karpas, and all that gang from the gangster days. They were all trying to get out on habeas corpus, under any pretext whatsoever. We really got hit hard. We could dispose of most of the cases merely on the petition. The judge would look at it and say, "Well, there's no merit to this at all," and throw it out. But, a Supreme Court case came down holding that if the man filed a petition, and if the facts alleged there might be true, he was entitled to a day in court. We used to go over and hear the case at Alcatraz, with a hearing officer. So, we had to bring all these "gentlemen" into court, usually in chains. We had a couple of them try to break away, too.

Fry: I think once you mentioned to me that you also had an increase in drug smuggling. Was this morphine and the like?

Lynch: In those days it was all opium and morphine and cocaine. Cocaine went out of style some years later and was out of style--if it is a style, and I guess it is--for approximately twenty-five, thirty, forty years. Now it's come back again. But for many, many years it was not a problem, as far as I know. Morphine and opium were.

Fry: This was in the thirties?

Lynch: Thirties and forties. You had gum opium coming in from China and the Philippines in what they used to call three-tael and five-tael tins. There were Elephant brand and Rooster brand. It was commercially put up, and there was a lot of it in Chinatown.

Fry: Was that mainly its use, what we would call recreational opium [laughs] for recreational use in Chinatown?

Lynch: That's right, for recreational use, and of course they became addicted. It's a very bad addiction, because you not only have the dependence, but addicts don't eat. They just practically starve to death.

Fry: Did morphine have a wider use?

Lynch: Oh, yes. Morphine was merely the heroin of its day. Heroin is nothing but refined morphine.

Fry: I'm wondering about the drug that a lot of middle-class people got addicted to, usually through having had it prescribed by a doctor originally.

Lynch: That would be things like codeine, which was rather easy to get. I can remember that I was on prescription for codeine for a stomach ulcer. I had tremendous ulcer pains, and I had a prescription from the doctor. I used to just go in and get it renewed.

I had very little to do with narcotics. That came under the Bureau of Narcotics. I didn't represent them. Well, once in a while I would.

Fry: What about kidnapings?

Lynch: Well, we had one. We didn't have any great kidnapings. They had some local ones, but they were local problems. You had one down in San Jose, the Hart case. That was strictly a local case. I'm not sure I was even in the office at that time. I remember the case very well.

We did have the gangsters. We prosecuted about twenty-five or thirty people all at once, in a rather famous case. Some of the names involved were fabulous, anyway. I remember there were some Marinos, whose names were either in the case or they were indicted.

Lynch: It was Boloney-nose Marino and Soap Marino. Soap Marino got his name--honestly, he hijacked a truck one time thinking it was loaded with liquor, and it was loaded with soap. And Bible-back Marino.

But we tried about fifteen or twenty gangsters around here. There was the proprietor of the Vallejo General Hospital, who went under the name of Thomas Williams. His real name was Tobias Cohen, and he was known as "The Goniff from Galway." He was a very distinguished gentleman. He walked with a limp because he put too much nitroglycerin in a safe one time, and the door came off and hit him before he could get out the front door.

They'd been harboring Baby Face Nelson and Johnny Chase, who was Nelson's partner. We convicted the whole bunch of them. I think they had twelve lawyers. I'm sure they did, yes. We were outnumbered. [laughs] We only had four. But we had a witness who knew them all. Nelson and those people--I knew Baby Face Nelson years before that. He was an escapee from Joliet penitentiary, and after he escaped he lived in Sausalito under the name of Lester Gillis. I don't know whether Gillis was his right name or Nelson was, but he had both names.

These old-time detective magazine like True Detective--I don't know whether they still have them--used to run stories--trash stories--about hoodlums and criminals. For the missing ones, the ones they wanted, the magazine would offer rewards. The then-constable in Sausalito recognized Gillis as Baby Face Nelson while he was in his dentist's office, by the picture, and that started the ball rolling.

Then the FBI just poured in here. They had a squad of about twenty men. We finally got ahold of one fellow named Negrri. He'd been a wheel man, as they used to call them. He drove them around. He knew all of them, [laughs] and he was a witness. He fingered every single one. Then we corrobrated everything Negrri said. If they stayed in a motel, we had the register. Nelson at that time was dead, and Johnny Chase was in Alcatraz, but we rounded up all these people who had harbored him. He had hid out in Williams's hospital in Vallejo. He had been hidden out in Sausalito and at Boyes Hot Springs in Sonoma County and places like that. The people had furnished him with cars up in Reno. That was a big case. That was the only real big gangster case that we had in the U.S. attorney's office.

II CHIEF ASSISTANT TO PAT BROWN: THE SAN FRANCISCO DA'S OFFICE

Comments on Earl Warren as District Attorney

Fry: The other question that I'd like to ask you is what the comparative virtues of different district attorneys' offices were around the [San Francisco] Bay at that time. You had Earl Warren in Alameda County, and you had Mat Brady in San Francisco.

Lynch: Mat Brady wasn't worth anything. He was of the old school. That's a long story. We get into that with Pat Brown. That's an interesting story, the transition from Brady to Brown. I've forgotten who you had in San Mateo County. There was Louis DeMatteis. He was a good man, but he came along later, an Italian kid who's a judge now. He was a good DA. I've forgotten who was before him, but that was a pretty corrupt county in those days. That's when Bombo Giorgetti was a well known gambler, and--I wouldn't say they had the best sheriff in the area, but who did?

Fry: Earl Warren had some trouble with a sheriff in Alameda County.

Lynch: Alameda County had a sheriff who was finally thrown out of office. They had a lot of gambling. We had it here too. But, Marin County was very bucolic in those days. Once you got out of the Bay Area, there might be a local house of ill repute or a little gambling, but I don't think there was any organized crime--when I say organized crime I don't mean it in the popular sense; I mean with any kind of organization--till you got down to Los Angeles.

Fry: Did you have any contact with the way Earl Warren processed cases in Alameda County?

Lynch: Not contact. I knew how he processed cases, and he was pretty rough. He admits it himself, I think, in his book. You were not burdened--and I use the word advisedly--with the rules that we have today. You did not have any of the television material, "You're entitled to a lawyer," and all that sort of thing. The rule was, and this is the rule, that you can use the evidence, no matter how you obtained it, period.

Fry: How did Warren's office compare with the other offices that you were familiar with?

Lynch: It was good, very vigorous and very tough. You didn't fool around with Earl Warren, although one of the great mysteries was, "How come everything went on in Emeryville?" [laughs] And it probably still does. So I don't know. That was always a very strange deal. How come Emeryville was allegedly wide open?

A lot of people had these so-called card parlors, which we still have in California. They were a source of all kinds of evil. First of all, there were hangouts, you know, poker parlors. And there were clip joints. We had a big one here, which we put out of business, first thing, when Pat got elected district attorney, Elmer "Bones" Remmer's outfit. They had big Chinese lotteries, which Alameda County DA Frank Coakley finally put on the run. He succeeded Warren. No, Ralph Hoyt, I think, succeeded Warren, and then Frank Coakley. Frank busted the Chinese lotteries, which were big in Oakland. After they got run out of San Francisco, they went over to Oakland. [laughs]

Fry: You went to the district attorney's office in 1944. Pat was elected in--

Lynch: Forty-three.

Fry: According to the newspapers, your appointment was December 2, 1943, with all the other names, including William B. Acton and Bert Levit. How did he persuade you to leave the U.S. attorney's office?

Lynch: A better job. I was advised not to do it by Judge Michael Roche. I'll never forget that.

That was another function that we had. One of the plums in the U.S. attorney's office was to be assigned to be the courtroom deputy, as we called them. In other words you handled everything that went into that court, except special trials when somebody might come down to try a case. Courtroom deputies handled the calendars and advised the judges. As a matter of fact, you broke in judges when they first came, just on routine matters.

Judge Michael Roche, who was a very fine man, came off the superior court and came up there. I was fortunate enough to be his courtroom deputy, and we became very, very close. He was a very stern man, and you didn't fool around. I remember some lawyers came in and cut a few corners with him. He had the power, which judges exercise, of barring attorneys from his courtroom. He said to them, "Don't you ever come in my courtroom again. You'd better not." [laughs] He clobbered them. But he was a very fine man.

Lynch: I went down to talk to Roche. I said, "Pat Brown wants me to go down to the DA's office." He said, "Don't you go down there. You stay here." I think he knew what was going on in the old Mat Brady administration. He was thoroughly familiar with it, thoroughly frustrated by it, I know. He didn't want to see me get mixed up in it. To me it was a challenge, and I knew Pat Brown.

Meeting Pat Brown

Fry: At this point how long had you known Pat Brown? When did you two first get together?

Lynch: I've known him since--I was thinking of that--somewhere in the neighborhood of 1930. If you ask me how I got to know him, it's one of those things of interlocking friendships. I was a friend of Frank Mackin's. Frank Mackin was a friend of Pat Brown's. Pat Brown was a friend of Eddie Strehl. Eddie Strehl was a friend of Walter Hancock. It was one of those things.

Finally we met together--we didn't go, but the story has come out; Pat might tell it that way--that we went on vacations together. We didn't. We met on vacations together, up in Yosemite.

We're not alike in any way, except I remember two things we did like. We were great devotees of the American Mercury at the time, which of course was because Nathan and Mencken were writing in it. It was a fabulous magazine.

The other thing we liked was Red Nichols's records, real jazz records, Red Nichols and his Five Pennies. They were fabulous records. They are treasures today. I don't have any. And the old Bix Beiderbecke records. (Bing Crosby hadn't started then.) We used to like to sit around and talk on the beach, and we met girls, in Yosemite.

Then Pat introduced me to my wife, up at Yosemite. She was going to Cal and she was up there with all her sorority sisters. Not all of them. I mean, all the ones she was with were sorority sisters, all under assumed names. [laughs] My wife's name is not Pat. Actually, she goes with her name, but she uses Virginia, and her right name is Mary. But that's another story. [laughs]

Fry: She was going by the name of Pat there?

Lynch: She and another gal who still lives up here, they called themselves--this was fun in those days; this was real wicked in those days--they were the "O'Malley sisters," and they were great wags. They were

Lynch: "Daughters of O'Malley of the Mounted," which was an old movie with Jeanette MacDonald. [laughs] So she was Pat O'Malley, and the other one was Sally O'Malley. Her name was actually Adelaide. The girls to this day all carry those names. The girl named Terrell, her right name is Elsie. She's still Pam. Another, her husband, is Sleepy. [laughter] He earned that the hard way. She calls him Sleepy.

Pat Brown was married at the time, or was about to marry Bernice. Bernice went to Berkeley, and one of her sorority sisters was there. Oh, I don't know; one way or another we met these two gals, and I met my wife there. But Pat and I were always very, very close friends.

Mat Brady: A Comparison

Lynch: We called going into the DA's office going downtown, because I was up at Seventh and Mission and I went down to Montgomery Street. When I went downtown, then Pat and I became--no doubt about it, I was the person he was closest to in the office. I did not go in, as people think, as chief assistant. There was no chief assistant.

Fry: In the press stories, you were just named among the others.

Lynch: Yes, they were all candidates, plus a few others who were not nominated.

Fry: Then on May 30, 1944, you were shifted to what was called chief deputy.

Lynch: No, it was chief assistant. Chief deputy, they used in the AG's office.

Fry: Oh, this was, I guess, the newspaper's terminology.

Lunch: That's a terminology that nobody quite understands. In the state department deputy is higher than assistant. In the AG's office, it is too. I always liked being chief assistant. Anyway, I became chief assistant.

Fry: That meant that you were the one closest to Pat Brown.

Lynch: I ran the office.

Fry: Norman Elkington became, at that same time, chief of the superior court?

Lynch: Chief of the superior court. We invented most of these.

Fry: William B. Acton became chief of the municipal division. Tell me what the DA's office was like when you went into it.

Lynch: It was the most colossal disaster I've run into, and I've run into a lot of them. It was unbelievable. Old Mat Brady was a nice old gentleman, and he was a good friend of mine. In fact, I was the only one he liked. It was a part-time office for all of the deputies. They were very poorly paid. I think maybe three or four of them had offices.

The offices were unbelievable. They were on, I guess, the fifth floor of the Scatena Building, which is at 550 Montgomery Street. It belongs to Bank of America. It's next to their Clay-Montgomery branch. These offices were nothing; they were just offices in a building. Most of the deputies, or a lot of them, had private offices uptown. They practiced law. One of them, Harry Neubarth, who afterwards became a judge, never did go into the office. He handled the grand jury, and they brought the indictments uptown to him at his own office. [laughter] That went on for years.

Neubarth only got two or three hundred dollars a month. The DA's office had a salary device which was interesting. The deputies' salaries were set, say, at $300 a month. So they took $250 a month. That made them part-time because they weren't full salary. It was a legal fiction.

Fry: That enabled them to practice privately, is that it?

Lynch: You weren't barred from practicing, and probably now--to this day it's not civil service.

Fry: What was the advantage of their being part-time?

Lynch: They could have an office and not be eight hours a day in the district attorney's office. They didn't have to put in full time. So they all did that. I think Harmon Skillen and one or two others had offices in the building. It's just that they didn't have offices anyplace else.

There were no records. I remember going into the courtroom and opening a drawer in the desk and pulling it out. You could hardly open it because in it had been stuffed all of the complaints and things like that they weren't using. These people had all pled guilty. The deputies would stuff it in the drawer, because the deputy wasn't going back to the office. He was going back uptown to his own office. He didn't want to be burdened with all that junk.

They did not keep a docket at all. The records were kept--it looked like something out of Dickens. They had these tremendous canvas-covered ledgers that you've seen probably in antique stores.

Fry: Great big things?

Lynch: About yea high. There were two fellows whose job was to put in as entries what the deputy would tell them when he came back from court. The fellow would say, "What happened?"

The deputy would say, "Oh, they put it over 'til the fourteenth." So they'd take a pen, a real pen, and an ink bottle. One fellow--I guess he was half gassed or something--he'd write the entry and--ppt--he'd put a splatter of ink as his seal' [laughter]

The ledgers are still there. I insisted that they keep them when we moved. When I left the DA's office, the ledgers were enshrined down there.

That was one of my jobs, to bring in a system of keeping records to the DA's office, which was easy because we kept records up in the U.S. attorney's office. So, I put in a flat filing system and all that, you know, just ordinary things that you would do. There was nothing, absolutely nothing.

Fry: Somebody said there wasn't a typewriter in the office.

Lynch: I think there might have been one.

Fry: For all of those deputies there were only two typists or secretaries, neither of whom typed apparently. Is that gilding the lily a bit?

Lynch: That could have been. I think it's probably laying it on, but it's not too exaggerated.

I'll always remember I changed the name of one department there. It was the domestic relations department, and I changed the name to family relations department. I remember Pat Brown said, "Why did you do that?

I said, "Well, there aren't any domestics around any more, and the ones that are here are too old to have relations." So we changed it.

There were two or three nice ladies in that department. I remember one of them was Rose Bunch, who was rather a character here in town. Her husband was killed in World War I, and she was always very active in the Legion Auxiliary, a lovely person. But she just gave out family advice, and if necessary probably would threaten to hit the guy over the head with her chair. It was that type of social work [laughter], practical, and met, probably the problems of the early days when everybody was local. I understand that they have 120 people in that department now. We had three.

Fry: How many deputies or lawyer-types were there when you took over in the DA's office?

Lynch: They weren't all deputies. I would guess that we had, originally, maybe fourteen to sixteen. I wound up later with twenty-six, which was ample for the time. It always surprised me because there were more people in San Francisco then than there are now, and today they've got over a hundred. You don't need that many.

The whole place was just a shambles. They had cages in the courtrooms. They'd bring the prisoners in and put them in a case, in the open court, like a bunch of animals. I went down and told them to get rid of the cages, and you'd thought I'd called on the end of the world. We got the cages out. There was all kinds of petty graft going on and a lot of things that were wrong.

For example, the district attorney took bail. Now, no district attorney in the United States does that, actually took in the cash for bail. He'd keep it in his own little file, no central depository. [laughs] Well, we got a controller and a treasurer up there, and we'd use him. We finally turned it over to the county clerk, where it belongs. I had a hell of a struggle doing it because everybody resisted it.

Another thing, they would book a man, no matter who he was, if they wanted to really--you've heard the expression--"roust him." That's an expression that means they just want to give a guy a bad time, some guy they didn't like, or he didn't smell good. They'd book him 'en route to Sacramento," and that's not a bailable charge. It's not a charge at all. It's phony or a euphemism that he's wanted in Sacramento. "They'd heard a rumor about this." The only way he could get out of jail then was on a write of habeas corpus.

So, one of anywhere from four or five lawyers who hung around the Hall of Justice--or the Hall of Injustice, as it used to be called--who were friendly with the cops, would go up to see the guy and say, "I can get you out on a writ." Usually, these defendants would be people like a rich hoodlum who had come to town. He had money. They weren't local people. They were bums and hoodlums. They weren't street bums. They were gamblers and well-known sharpies, and they had money. In other words if they didn't have money, the hell with them.

So the lawyers I mentioned would go up and say, "We can get you out. It'll cost $250 to get you out." So the lawyers would come in with a writ of habeas corpus. The lawyer would get his money, give the cop maybe ten, fifteen, twenty dollars, and the guy would get out--forget it. The guy would show up the next day, and the charge had been dropped. They had checked it out, and they didn't want him in Sacramento.

Lynch: To get rid of that we put in a system of booking on suspicion, which is only a word, but that was bailable immediately. You use the word investigation or suspicion. It comes to the same thing. Again it's a nice way of saying that he's not charged with murder. The worst he's charged with is suspicion of murder. Of course, you can't bail on murder, but other things you'd bail on--burglary or robbery--and the man would get out on bail.

If you read the penal code, [laughs] that's legal. I had one of the lawyers in the office come in to me one time. He said, "What you're doing, Tom, is illegal."

I said, "What's illegal about it?"

He says, "You have to produce them in court, and the judge has to set bail."

I said, "They've already set it. I've got a schedule which they agreed to."

He said, "No, but--" And it does say you have to produce them in court, and the judge will set bail.

I said, "You want to know something? We've never had a complaint from anybody who ever got out on bail. [laughs] Forget it." But the whole office was unbelievably bad.

Fry: Was this change part of the change from allowing detectives to prepare complaints for felony suspects?

Lynch: Yes. They used to come in--they were all stereotyped.

Let me correct something here. I'm not responsible, wholly, for this. Bert Levit was. Bert Levit was actually the man to come in. I gave some of my knowledge and expertise to some of these things. On filing, Bert would come to me and say, "How did you do it up in the U.S. attorney's office?" He was there for that purpose, for reorganization, at which he's absolute tops. He also went up to the attorney general's office to do the same thing when Pat became attorney general. Then he went to Sacramento when Pat became governor and sat as director of finance and did the same thing.

In any event, we took over the writing of complaints. In the old days, it was like going to Schwabacher-Frey for a form. You'd just pull it out. All the whereas's and wherenot's and all that sort of jazz, we cut all that out. We'd file a complaint that John Brown murdered Joe Blow, on October 15th, in San Francisco, period. Then one guy said, "Well, you have to say he's a human being."

Lynch: I said, "Well, you can't murder anybody else. You can't murder a cow." [laughter] But that sort of thing was going on. Everybody resisted all kinds of change, because it upset the status quo where everybody had their hand in the till.

Fry: It sounds like some of the people who were doing that didn't have legal training.

Lynch: Oh, they had plenty of it, [laughs] they were lawyers. But they had a nice cozy way of doing business. It was all in the family. There was only a restricted group that participated in all of this. You couldn't walk down to the Hall of Justice, like some people do today, and expect to pick up cases. It was all controlled. A detective in those days--and they wouldn't deny it today--if they arrested somebody, they'd call up their favorite lawyer and say, "I've got one down there that looks like a hot one. Go down and see him." The lawyer would be upstairs before the defendant got there. The lawyer would be waiting for him.

There were millions of those things. We had to destroy one whole department, the so-called complaint division. Another thing--we found that the judges didn't like to be disturbed at night, which is a part of their job. They had stacks of bail orders, signed by the judges, and the deputy would just put the guy's name on it. But we got rid of all that sort of thing and put it on a modern basis.

Fry: Was it important that this change involved taking the determination of the charge, if it was a felony, out of the hands of a detective who did not have legal training, and putting it into the hands of the district attorney deputies who did have legal training?

Lynch: That's right. That's absolutely essential, and it met all kinds of resistance. Today there isn't a policeman in the United States in any metropolitan police department, or a smaller police department, who doesn't think that's the only way to do it.

There was another change, that it wouldn't be just any deputy, but rather one man, a superior person, in charge of all felony charges. They all had to be referred to him, every morning. The arrests up to four o'clock in the morning, when the watch changes, were picked up by the detectives, if the arrest was made by what we called the harness police. First this man in charge reviewed the charges decided on by the detectives, and he gave his recommendation. He'd say, "This man has been charged with burglary, but all he did was--he's a wino--reach in the window and get a bottle of 69¢ wine. Petty theft." It eliminated practically all of the hanky-panky, the graft.

Fry: It was supposed to eliminate some of the sloppier plea bargaining that took place, but I don't see how, since it would just move plea bargaining from one place to another.

Lynch: No, there was more to it than just what meets the eye. We had a copy of the police report. We had better personnel in the police department. in charge of the various departments, who insisted that these be good police reports. We had that original report, which might be made by a man in the street, a young policeman who was doing his job. He put down what the facts were. We had that. So, it was pretty hard to get around the truth.

As time went on, we trusted--and had reason to--the younger detectives. They had gotten rid of the older--most of the old-timers took it on the lam. They didn't like this new stuff.

I was the suspect. In fact, a lot of those people thought I was a spy for the FBI, because I had worked in the justice department. They would say, "That so-and-so Lynch is doing all this." So, a lot of them left. Then we got the younger men, the Cahills and the Nelders, and the Aherns, and lots of people that are around today. These are high-class people.

Fry: They got their start back then?

Lynch: Nelder did, Cahill did, Ahern did, and Murray did. They were just waiting for something like this. Some of them are retired now. There was Marty Lee, who was a top-flight police officer, a college graduate.

Plea Bargaining

Fry: What about plea bargaining?

Lynch: It's an important part of any--anybody who tells you that they're not going to have any plea bargaining, they're just whistling Dixie. Joe Freitas did it. You cannot do it. First of all, people are overcharged, number one. It's ridiculous; a man is charged with ten burglaries, and if he wants to plead to five, you take it. He's not going to do any more time, and the record is there that he committed ten.

Lots of times circumstances are such that you don't have too good a case, and you take what you can get. I had a judge a long time ago chew me out. He chewed us out on some case in which we didn't charge the man. It was during the [San Francisco] City Hall riots.

Fry: Against the House Un-American Activities Committee?

Lynch: Yes. Well, you know they [rioters] were raising hell, the police turning the hose on them and all that. We had a couple hundred of them. It was in the sixties [May 1960]. The judge was raising hell with me because we didn't charge this man with a felony. From the bench he said, "Why don't you charge him with a felony?" So, I went to see him in chambers and said, "What do you mean by that? Would you send him to San Quentin?"

He said, "Well, of course not."

I said, "What the hell's the use of charging him with a felony? You can give him up to a year in the county jail on a misdemeanor."

He kind of looks at me. "Well, I guess you're right, yes."

We were old friends. I said, "Fran, you're just grandstanding. Don't pull that with me."

It was ridiculous to charge him with a felony. Charge Mrs. [Vincent] Hallinan [Sr.] and send her to the penitentiary for a year? It's absurd. A lot of these people were just stooges. They didn't do any harm. I mean, sure they violated the law; they committed a misdemeanor. They could get six months or get a year. A district attorney could come in and, to be a big shot, charge them all with felonies, and then reduce it to a misdemeanor.

Lots of times, a so-called robbery or burglary--not robbery necessarily but many a burglary--after you get really into the facts, turns out to be a petty theft.

For instance--we have had this happen in this neighborhood--a house is robbed and then you find out that it's done by a couple of young people who are friends of the kid that lives in the house. There's a little hanky going on there. That sort of thing. I mean, they don't know what plea bargaining is. The kids don't come to you and bargain, ordinarily. They might say they're anxious to get rid of something. Juries will do it. A jury will have a man charged with seven murders and find him guilty of two. They figure, "What the hell? Let's not stay here for a week on the other five."

Fry: Did you have the same pressures on you that Earl Warren's office did in Alameda County of having too big a docket?

Lynch: We did, yes. I was courtroom deputy in Judge [Al] Fritz's court. He would put anything over. Well, I made him go, to get rid of them. We all did. Norman Elkington did it too. He was worse than I was. I took those 157 cases and got them down to a workable load of about thirty.

Fry: You just made him a decision and wouldn't let him postpone?

Lynch: Yes. We tried four or five cases a day. Then a man like Judge [Tom] Foley would come along, and he'd try everything in the book on one day. I remember I had a case one time against a man named Hennessy, who was a jailhouse lawyer, a good one. He didn't want to go to trial. I insisted on going to trial.

He said, "I want a continuance."

I said, "Okay, you can have one until eleven o'clock." And he screamed.

I said, "All right, twelve o'clock. [laughter] He screamed again.

Foley looked down and he says, "Is that your last offer, Mr. Lynch?"

I said, "Yes."

Foley said, "Sold [bangs table], twelve o'clock," and he went to trial. They were non-jury cases. Foley would try them in fifteen minutes. The fellows were guilty, you know, a couple of bums and a couple of drunk rollers.

Selecting Grand Jury Cases

Fry: How did you decide what cases to really take before a grand jury? Did you just take those that you were really sure of, and that you had excellent evidence collected for?

Lynch: No.

Fry: The reason I ask is that later on, when Pat Brown ran for attorney general, he was able to say that he won every case that he tried, or maybe that he personally prosecuted.

Lynch: He did? As DA you don't try cases. Do you mean before the grand jury?

Fry: Yes, that went on to a conviction. He always got his conviction.

Lynch: No, no one has ever done that. And we certainly didn't. I think he was misunderstood, or maybe like old Chief [Michael] Gaffey years ago, when somebody brought up what Gaffey said the day before, he said, "I must have misquoted myself." [laughter]

Fry: This was in Brown's campaign literature.

Lynch: Well, it shouldn't have been there, because it has never happened anyplace, never, with any district attorney.

Fry: At any rate, that made me wonder how you selected cases to take to the grand jury.

Lynch: No, it's an entirely different criterion. First of all, the ordinary procedure is to go into a preliminary court. There the witnesses are subject to cross-examination, which could be in certain cases interminable.

For example, a rape case. If you can avoid it, you don't expose a woman to the trauma--and it is a trauma--of having to get up in a municipal court, which we had in those days, and go through the whole thing, and then have to do it all over again in court. You would take that case to the grand jury where she wouldn't be cross-examined. In the grand jury--there are no hangers-on or leering spectators, and if she can be given any type of comfort, it can be done there. That's one type of case.

A complicated murder case, where you have a number of cases that might take you a week to present in a preliminary court--which has other things to do, incidentally--you take it to the grand jury, where you could get rid of it in two hours.

Another type of case that would go to the grand jury would be investigative cases, where you find out who's guilty, who should be charged. You bring everything in there.

Another type of case would be where there is complicated testimony like audits. An auditor can come in and just give his results. Let's assume he's somebody from Haskins and Sells or from Ernst [certified public accountants]; you know he's going to tell exactly what the record shows. A lawyer in a municipal court if he's going to get a big fee from his client, would probably keep the auditor on the stand for three or four days, going over every item, which the lawyer didn't understand in the first place and won't understand when he gets through. So, you take that type of case to a grand jury.

Many times you would have to do it to get a witness to testify. Today you can give him immunity, which in our day you couldn't do in the courtroom. You could do it before the grand jury, but it was a rather complicated process. So, those are the cases you take.

Lynch: Lots of times you'd like to get into an investigation that may or may not result in a charge being filed, but needs investigation. A grand jury usually is a pretty representative body. They don't ordinarily have an ax to grind of any kind, and they'll give it a fair looking into.

Fry: Did you have the job of making some of these judgments?

Lynch: I had the job of making almost all of them. I presented most of the cases. Either I presented them, or Norman Elkington did. I did it at first, when I was chief assistant. Then when I became district attorney, Norman came back to work for me--which gave me a great pleasure, believe me--as my chief assistant, and he presented all the grand jury cases. That's the chief assistant's job, because you need the top man in the office.

Fry: When you're making a decision on whether to make a criminal complaint, what criteria did you use on whether or not to drop a case for insufficient evidence?

Lynch: That's it, if there's not enough evidence. Or maybe in a rare case the ends of justice don't require that you file a charge. There may be technically a charge. Let's say a woman hit a two-bagger off her husband's head with a baseball bat. Well, maybe he needed it. There are lots of cases like that. They come up, and nobody complains. The husband would be in complaining about it. But, two or three days later, he'd probably come back and say, "I don't want to file any charges." You can sort of sense those cases where, say, the ends of justice just don't require it. Judges dismiss cases for that reason. So, you use the same standards.

(Look at my two cats out there. They really tee off. The gray one is a young one. He's a Russian blue. The other one is about fourteen years old. She's just sort of sneaking by him. He loves to tease her. That's on the record. [laughs])

Fry: They're gorgeous cats.

During the time you were here in the district attorney's office, did Pat Brown go public on his opposition to the death penalty?

Lynch: In making a formal statement? I don't think so. But I don't think he was ever in favor of it, although I had a number of death penalty cases that I had to try. We started right off with one as a matter of fact. I didn't try that one, but I got the death penalty. The fellow pleaded guilty. He thought he was going to get life in prison. It was a murder of a girl bus driver, a Greyhound bus driver. This fellow had killed her. He earned the death penalty because he got up and just blackened her character all over the place, which was all a lot of lies, and we proved it. So, he really got the business. He was going to kill me too, but that's another story.

Fry: Did the people in law enforcement then have as dangerous a life as they have now?

Lynch: I'd say no. Obviously, there's some danger connected with it. If you're going to assume that it's dangerous and get worried about it, you might as well quit. There's a man walking around today who's that way. That's Evelle Younger. He's scared to death. When he was elected attorney general in 1970--I was not running, of course. I was in Los Angeles--I knew him. In fact he was the DA. I called him and said, "Ev, if you'd like to come over and see the office, come on over. We can have lunch together, and I'll show you where all the bodies are buried," you know, the usual persiflage.

"Fine, Tom. I'll be right over." The first question he asked me was, "Who are your bodyguards?"

I said, "My what?"

He said, "Bodyguards."

I said, "I don't have any. Plenty of people around here have got guns if we need them. But I don't have any bodyguards. I have a driver, but he doesn't carry a gun. I wouldn't let him carry a gun."

The Lynch Family in Ireland##

Lynch: My father came from County Kerry. He was a big Irishman. He was about six foot four. That's why my sons are so big. The name of the town in County Kerry is Bally Longford. So before I ever went to Europe, my two boys went over. First, my older boy went after his sophomore year. He toured Europe in style, [laughs] I think in a 1921 Opel that he and another fellow named Michael bought for $35 someplace. They're known as the two Mikes. He's not the Irish son. He's as Irish as I am, but the other one is the Irish one, in personality.

Anyway, "Mike," I said, "go up to Bally Longford. There are two famous people who came from there, your grandfather and Lord Kitchener." Mike thought that was pretty good. So he went there and he came back. I said, "How did you find Bally Longford?"

He said, "Well, first of all, it wasn't easy. You told me there was a little creek that runs through it with ducks swimming in it. The hell there is! There's a creek all right, but it's the town sewer, and it's full of tin cans and old tires and everything else."

Lynch: Then Casey went, and he liked it. But he couldn't find any ancestors, except in the graveyard. It's full of them. There's an old abbey there, ruins.

So finally some years later, my wife and I were going to Rome to an ordination of a friend of ours from down the street here, Purcell, who was being ordained in St. Peter's. So the whole gang went over, let's put it that way. There were forty of us. We had a charter that cost us, I think, $180 round trip from Chicago. There were five planeloads.

I don't know whether you know about this, but the outstanding students in the various seminaries, if they're lucky, get selected to the American College in Rome, the Gregorian University. This is from all over the world. There's the Irish College and the German College, and they study in Rome. It's very prestigious for a young man who's studying for the priesthood. Anyway, we all went over. On the way home, we went over to Bally Longford.

It was in the middle of winter, and I'll never forget it. We rented a car and a driver, because I wouldn't drive on those Irish roads. This fellow was a great guide. Every time you'd ask him if it was a ruin or it was a castle, he'd say, "Yep." [laughter]

So we got to Bally Longford, and we found a family of Lynches. They were very charming, living I'd say--they weren't poor, but they weren't living extravagantly, a little cottage. They brought in the oldest lady in town, and we went through all the names. "Nope," she didn't remember Patrick Lynch or John Lynch. There were eleven of them that had come over, and nothing at all. [tape off]

This is the letter that arrived after we returned home. It was written back in 1966, from Dublin. It's from a nun--Sister Bernadette, whose name was Nody Brassel. Apparently they're relatives. Let me give you some excerpts. Do you want me to read the letter? It's fabulous.

Fry: We can put it in, if it's about your family tree.

Lynch: No, it's only as humor. I wouldn't want it ever published while I'm alive. Let me read some of it to you.

> *I've been trying for the past two months to get in touch with you but failed, even though I contacted an address given me by the American embassy. However, just last week I had a letter from the sister of one of our nuns, Mrs. Dermott Whelan, who on being asked to look you up, had contacted your secretary immediately. She said that you were the first person that came into her mind.*

Lynch: You're not a Catholic, are you? So you wouldn't understand this.

Fry: No.

Lynch: That's part of the humor in it.

You may wonder who I am and why I was so eager to trace a person I never met. Well, it happens a first cousin of yours, who is my sister-in-law, wrote to me last January telling me she was distressed because you and Mrs. Lynch had been in Bally Longford trying to trace your father's relations, but unfortunately, she was not told until it was too late.

Last summer I got home for two nights, after thirty years, and Nellie said to me, "Pray that one day I'll meet my mother's relatives."

This is a fabulous letter. [laughs]

I thought that there was something pathetic the way she said it. She was heartbroken when she realized she had missed you. You had only left Bally Longford when Dermott Lynch told Nellie's son Tom about your visit and that he now realized his mammy (Tom's) was your cousin.

Eileen Lynch, RIP (that's requiescat in pace, "rest in peace"), *your aunt was Nellie's mother* (I never could follow this) *who died when Nellie was a year old. Although I'm only seven years Nellie's senior, still I have very vivid memories of your aunt, RIP. She was a lovely person, tall, graceful, gentle and ladylike, a devoted wife, and a loving mother. However, poor Nellie was deprived of her mother's loving care at the age of one, approximately.*

Here it comes.

Your aunt had a sad end. One evening she was sitting by the fire, got a weakness, and fell in. Her leg was badly burned. She suffered intensely. I cannot say how long she lived after that. My mother, RIP, used to visit her. One evening when she called, your aunt's leg was being dressed, but my mother fainted when she saw it.

Your aunt was married to a Tom Enright, a good, upright man, RIP. After his wife's death, he had a maid looking after Nellie. But it was hard on Nellie and on her daddy. The maid had the running of the house, etc, etc. I will say no more. Nellie's uncle, Paddy Enright, also lived in the

Lynch: *house. I'm not certain what age Nellie was when her daddy died. I think she was about ten or eleven years. Her uncle Paddy in 1956. You see from what I've told you that your cousin Nellie had a sad childhood.*

Nellie married my brother Patrick in 1945. They are very happy, but they have their ups and downs. They have six children.

Should've gotten up earlier. [laughs]

Maureen and Tom, twins, will be twenty-one in May, DV.

Fry: What's "DV?"

Lynch: Deo volente, God willing.

I forgot to say Nellie is forty-two or forty-three years. She is very good and kind to everyone, and I'm very fond of her. She lives fifteen minutes' walk from Balley Longford, and the house where your father, Jim Lynch (now this is interesting) *was born is only five minutes away from Nellie's. Certainly Nellie would have given you and Mrs. Lynch a hearty welcome, and how delighted she would have been...*

Well, one of the interesting things about that is that my father's name wasn't Jim! It's his brother. I got another letter from somebody--from Nellie I guess it was. I had no brothers or sisters, but she's got my brothers and my nieces and nephews--I don't have any--and many references to my father Jim. Jim was my father's brother. [laughs] He had a brother named Jim.

Fry: They've got you in the wrong family. Did you correspond with them?

Lynch: We wrote a couple of letters and never got an answer. We went back over there. We didn't go to Bally Longford any more. I didn't want to go. But we were in Tipperary. We stayed there for a couple of weeks one time. But, that's the story.

What has happened--there are two of us, two Tom Lynches. We were both orphans. I think he's retired now, but Tom was solicitor of the treasury department in Washington, under John W. Snyder. He represented the Democratic party, and he was a law partner of Tommy Corcoran who used to--if you read the old papers, you know, he was Tommy the Cork, a great friend of the Kennedys. That Tom Lynch is retired now. So, that confuses everybody. We look alike.

Fry: So, the Irish of San Francisco do sometimes make connections.

Lynch: We tried our best. Both of my sons did the same thing, and they couldn't connect up. It's a little bit of a town. You could throw a rock the length of the town.

Fry: I always supposed that the Catholic Church was really good at keeping track of everybody in Ireland, with their extensive record keeping.

Lynch: They are, I guess. But I think the priest was fishing that day, or something. We had to get back to Dublin.

Jimmy Tarantino

Fry: I have a few questions on specific cases that you might want to talk about. There's Jimmy Tarantino.

Lynch: Oh, I'd love to. Jimmy Tarantino was from East Orange, New Jersey. I don't know whether he was a prize fighter or promoter, a snipey little guy. I own his magazine. I bought it for 50¢.

Fry: I couldn't understand how you and--was it Gordon Garland? Who did you buy it with?

Lynch: Gardiner Johnson, a great Republican.

Tarantino came into Los Angeles, and he had a couple of friends. Hank Samicola was one of them. Another was a former prizefighter, a lighweight champion, Barney Ross, who at that time had been a narcotic addict. Tarantino had this magazine called Hollywood Night Life. He used the information he got from Barney Ross about who was using narcotics and doing other tricks in Hollywood, among the movie and entertainment people, he used it for blackmail in his magazine. I have a copy. My son's been looking at it. It fascinates him. [looks for it] No, I don't know what happened to it. My son had it.

Anyway, Tarantino had this magazine, which he published in Los Angeles. This is really an old-time San Francisco story. I think it's probably worthy of being in the archives. It's a rather complicated story, but it was a part of the times. There were many people involved in it.

Fry: This was in the mid-forties?

Lynch: Mid-forties. Anyway, Tarantino was blackmailing in Los Angeles various movie stars. They would contribute to ads in his magazine. In return, he would give them big puff articles. He would also put on dinners for himself, honoring himself. [laughs] The greatest egoist that's ever lived, this Jimmy, but a punk, a real punk.

In the meantime, one of his backers was Frank Sinatra. Sinatra didn't back Tarantino in what he was doing. He just liked the guy. Frank's a very generous guy, and he gave him some money to get the magazine going. I don't think he really knew what he was doing. I don't think he'd put up with it if he really knew what was going on.

In the meantime, here in San Francisco, Elmer "Bones" Remmer was operating a gambling joint, which wasn't legal, because there was no city ordinance allowing it. It was down in the Tenderloin area. I've forgotten exactly where, but it was a matter of record. It was a big joint, wide open. Of course, like everything else in those days, you'd go in to play poker and sit down with six people, and five of them were working for the house. You couldn't get a fair shake unless you brought your own cards. If you did that, you'd probably get killed. [laughter]

We were after Remmer. While we were going after him, so was Bill Wren, W-r-e-n, who was the city editor of the San Francisco Examiner. The funny thing about Bill Wren is he loved to play the horses himself, but he was always after the bookies and the gamblers. [laughs] And he was taking off after Bones Remmer.

Fry: Was Remmer also a bookie?

Lynch: No, no. Remmer was the big gambling man. At one time Remmer had taken over Cal-Neva Lodge, the Lake Tahoe gambling casino, when two men who ran it, Graham and McKay, were in a federal penitentiary for running a racetrack swindle. While they were gone, Bones ran Cal-Neva. Then he opened this joint in San Francisco. It was a big operation, and Bill Wren was after him.

The stories we got, and I'm sure it's true, is that Remmer imported Tarantino to San Francisco to take on Wren. And Tarantino did, in no uncertain terms. Every issue he'd come out with something about Bill Wren, talking about how he was a gambler--oh, accuse him of anything. He didn't care what he accused him of.

Fry: The magazine was imported along with Tarantino?

Lynch: It was printed in L.A. They sent the copy down there. Some of it was hilarious because the guy was illiterate, but he had this power.

Lynch: Then, of course, he had to have some sort of revenue up here, outside of Remmer. So he started pulling the same thing up here. He took on various people. He took on a man who had a restaurant here, because he had married his adopted daughter. He made a lot out of that. I don't think it's illegal. This man ran a restaurant here. (It wasn't a very good restaurant. It was a popular one, down in the downtown area.) So, he paid for ads in the paper for that restaurant.

There was another man who had a restaurant here in town. As a matter of fact, it was Vanessi's, Joe Vanessi, a great guy. Joe is a very nice citizen. His right name is Zorzi, and he didn't like to use the name. Also, many years ago in the bootlegging days, somebody fell down the stairs in his place, and he just didn't like those things brought up. So he paid for an ad. There were all kinds of people around town.

One of the devices Tarantino used was to say, "Well, you don't want to use your name. We'll take an ad out for the blood bank." He put in an ad, all right, for the blood bank, but what the guys around town didn't know is that about forty of them were paying for it.! It was strictly a shakedown.

He ran into one Tartar, and that was Sally Stanford. He'd figured, "There's one I can really take on." Well, he didn't know who he was taking on, because Sally is one tough lady. She said to me one time, "I've done a lot of lousy things in my life, but I never blackmailed anybody, and that son of a bitch isn't going to blackmail me." And she meant it. She meant it so much that she offered to come in and testify when we tried him. We didn't have to use her.

He used to give himself testimonials, "The Man of the Month." They'd call up everybody to send in a present, and they called Sally. They wanted her to send a pair of cuff links or something, that she was presenting to Jimmy. I've got pictures here of some of those affairs, and there are judges and prominent citizens, all admiring Jimmy.

Fry: He could always find something in their past.

Lynch: Oh, yes. Judge Michaelson, for example, would always appear and praise him to the skies.

Tarantino was nothing but a blackmailing S.O.B. We were after him. We put a bug in his joint. Well, he not only did the blackmailing. At one time he had an Army sergeant who was telling him what we knew to be military secrets. We were taping them. He also had a radio program on Sunday nights. He told two things on the

Lynch: radio that you know now were true. The two things were that the U.S. was experimenting with bacterial warfare--we know that to be true; the U.S. had a capsule called BX or B2X--and that the Marines in Korea were wearing bulletproof vests. Now, that doesn't sound like much but it means a lot, because some guy's not going to be firing a popgun at them. These things were true, but nobody knew it. Tarantino was getting it from this sergeant. We went to all kinds of extremes not to tip our hand that we had a bug in the joint, which afterwards [laughs] was decided was illegal, but it wasn't then.

We called the Army people about it and told them about it. They didn't do anything. It was during the Korean war. So I called Senator Estes Kefauver, who was head of the--whatever committee it was; I've forgotten now, military affairs or something--and he was very upset about it. I think they transferred the guy to Germany, which was a big deal.

We didn't want to expose our hand, of course, on the tapes. So we finally lowered the boom on Tarantino. Norman Elkington tried him. We convicted him. He had all kinds of character witnesses. We took them apart too. He went over to San Quentin for a long period of time. Then he was paroled on condition that he leave California. He went back to East Orange, or South Orange, New Jersey, and died there. That's the end of Jimmy Tarantino.

Fry: Why did you buy his magazine?

Lynch: He had slandered a schoolteacher. That was one of his big deals. He went after Nixon. He went after J. Edgar Hoover. And he went after so-called Communists. Anybody who was a liberal was a Communist to him. This gal was a schoolteacher, a perfectly legitimate person. She was for some good cause, I don't know what it was. But he called her a Communist, so she sued him for libel and got a judgment against him.

He was judgment proof, except for the magazine. So the magazine was sold on the steps of the City Hall, in the traditional manner, and the bid was $1.00, 50¢ of which was mine. [laughter] As a matter of fact the lawyer called, and he offered to share it. He got a big kick out of it. He says, "Tom, you want half of this?" It doesn't show on the record, but it was a little gag that we had. It was fun while it lasted.

It was a pleasure to go after a bum like that. The best part of it was that he knew everything that was going on in the town because of his underworld friends. [laughs] We used to get all kinds of information from him on the tapes.

Fry: When did all this end?

Lynch: Close to '48, '49.

Fry: The Korean war started in June of '50.

Lynch: In 1950, then. Tarantino was winding up then. He hated me, and he hated Elkington.

I've got a copy of the magazine upstairs. Just flip the tape off for a minute, and I'll get it. [returns with magazine] This is in February of '53; the seventh anniversary issue. Here's the blood bank ad.

Fry: [reading from the ad] Irwin Blood Bank Needs Your Blood.

Lynch: Everybody paid for that one.

Fry: Did the magazine have much circulation?

Lynch: Oh yes, it was a very popular item.

[looking at magazine] See, "Politicians Scheme to Frame the Editor." (He was always "the Editor.")

"Two days after my initial appearance before the grand jury, mysterious forces, headed by DA Tom Lynch, Norman Elkington, and Captain James English, undoubtedly expecting fireworks, showed their hand and color by attacking the reputation of this reporter before the grand jury." (He didn't have a reputation.) "Police stooge...kangaroo court."

"During my campaign on Wren's status I revealed that Wren obtained..." Oh, Tarantino said something about Bill Wren having a bum birth certificate. I don't know what it was. It didn't mean anything.

One of the reasons Remmer got Tarantino up here was a man named Freddie Franciso. That was a pseudonym, pen name. His right name was Bob Preston, but he used the name of Bob Patterson. He was a scamp, but a very charming one, and he wrote for the Examiner. He'd been in every penitentiary. He'd been in Sing Sing. He'd been in Atlanta, which is a federal pen. He'd even been arrested and sentenced in Shanghai, and sent to the pen at MacNeil's Island, back when we had extra-territorial jurisdiction after the Boxer Rebellion. He made it up there. I think he sold the Virgin Islands one time to somebody else after we bought them. [laughter]

Bob was a charming rascal, a real rascal, but he was a glib writer. The Examiner hired him back because the people there who had known him were gone. Somebody came to see me and I said, "What's changed about Patterson. You've got Bob Patterson working for you again.

Lynch: He says, "Do you know him?"

I said, "Who doesn't." He had about five pages of record. But he used to write for the Examiner, and he was raising hell with Remmer and a lot of Remmer's friends. He was shaking them down, too. He's dead now.

Fry: You're giving me a whole other view of San Francisco!

Lynch: Tarantino was after Bob Patterson because Patterson was working for Wren, and Patterson and Wren were taking on Remmer. That was the reason for Tarantino's coming here.

Then you get over here [pointing to magazine], and it's all character assassination. Now you can see the ads in here. Here's "Kay Thompson, the Williams Brothers." You know who that was? That's Andy Williams's original group. I think Kay Thompson is a switch hitter. I don't know.

But see, here are all the ads in here. "Irwin Blood Bank Needs You." That's your ad, Charlie. [laughs] They're space fillers.

There are Tony Martin and Cyd Charisse. I don't know why they took out an ad. He even got Lawrence Welk. "Congratulating Your Seventh Year, the Bank Club Casino." That's Bill Graham and Jim McKay, two of the biggest, most powerful men in Nevada in the old days. Ask any old-timer if they ever heard of them, and they'll say, "Did we ever hear of them!" [reading from magazine] Harry James, the Ritz Brothers, Nick Lucas. Spade Cooley--he murdered his wife, or murdered somebody. These are all the big ads, when you get over here: Golden Hotel in Reno, Bill Graham and Jim McKay.

Fry: Tarantino must have really had something on these people.

Lynch: Here are the boys. Look at this crowd here. This is Gus Farber. He's a big jeweler here in San Francisco.

Fry: This is the "Man of the Year" party for Jimmy Tarantino.

Lynch: [reading from magazine] Here's Dr. Sage; Murray Giffen, salesman; Chronicle newspaperman Benny Barish. He delivered papers. He was known as Benny the Bum. We charged him, too. Robert DiGrasso, Nate Cohen, who was a pretty well-known lawyer here; Joe Diviney; Ken Tinney; Jack Golberger, a big labor man here, now retired. He represents the Teamsters here in town.

Fry: They were all there at his party.

Lynch: Better than that, get down here and see who's here. Here's the public defender. Here's Judge Michaelson. Look at this fellow here, Jimmy Jay, this character.

Fry: He looks like Clark Gable.

Lynch: He doesn't really look like Clark Gable, I can tell you that. He had a wiry--here's Sinatra. Here's the Ritz Brothers. Who's this--Jim Haver. That guy looks familiar. I don't know who he is. [reading from magazine] "Best Wishes, Mel Belli." [laughs]

Horse Trader Ed. That's before your time. Max Sobel.

Fry: Who's Horse Trader Ed?

Lynch: Horse Trader Ed was the first of the loud-mouthed used car salesmen. "Ah got 'em." He finally went to the bucket, too, for something or other, income tax.

Fry: [reading from magazine] "Bones Corner."

Lynch: One eighty-six Eddy Street. Walter Hart--he's a female impersonator. [reading the ad] "Write your own ticket."

Fry: The ad says, "Thanks for Everything, Walter Hart."

Lynch: [reading] "Tommy's Joint," that's Tommy Harris's.

Fry: How did Tarantino get the goods on all these people? How did he find out about their past?

Lynch: I would say only there were enough people around who would provide him with information. There were characters around town that hung around the Tenderloin. They were generally known. I knew that Joe Vanessi's name was Zorzi. His wife has always used the name. I've known him all my life.

I remember another fellow here in town. His wife bought some hot coats one time. I think he bought a whole set of hot coats that came out of Ransohoff's or Levis's, one for his wife and one for each of his kids. They were hotter than a three-dollar pistol. He found out about it because the DA's office had the case.

A lot of the information was stuff that was known at the time that it happened, but over the years had been forgotten. Tarantino was just resurrecting most of it.

Fry: So he could have gotten the information out of newspaper files or public records?

Lynch: He wouldn't do that kind of research. No, he had informants, a bunch of scabby informants. Jimmy Jay was one of them. (He was selling Bibles after we convicted him.)

Lynch: There was one fellow by the name of Brandhoff who worked for Tarantino. He was a double agent. He didn't know that we were triple agents. Brandhoff would tell us what he was allegedly telling Tarantino, but we would listen to him talking to Tarantino and we knew he wasn't telling him that. He was planting stuff with us. He was just the agent provocateur. But that was fun.

Gambling, Frederick N. Howser, and the Crime Commission

Fry: Along about this time the Special Crime Study Commission on Organized Crime was operating out of the attorney general's office--I mean, no, not out of the attorney general's office! [laughter]

Lynch: The attorney general was the reason it was operating! Warren Olney was in charge of that.

Fry: Their report talks a little bit about the San Francisco of these days. It still isn't clear to me if there was any betting that was really legal, or to what extent it was the object of prosecution.

Lynch: Yes. Big business.

Fry: Here's a good example of that. There was a "Tiny" Heller's in Oakland, where people went to bet on baseball and football. According to the crime commission report of November, 1950, it was raided on November 17, 1947. That report says that Heller's was similar to Corbett's Inc., at 15 Fremont Street, and to Tom Kyne's at 1 Opal Place, both in San Francisco, although Corbett's and Tom Kyne's were bigger and better known than Heller's. The report inferred that these were operating because of payoffs. I didn't understand whether maybe Howser was connected with this or not.

Lynch: No, these men were old-time gamblers. They were brokers. They'd bet on anything. The way they operated was they posted odds. You could go into Tom Kyne's place and say, "I want to bet on Earl Warren to be governor."

"What'll you give?"

"I'll give ten to eight." In other words, "I'll put up ten dollars against anybody's eight." They would put that on the board. You would come in and say, "I'll take that one," and they would write out a ticket for you. They weren't betting; they would just write out a ticket. It's almost like going to the racetrack. You would get that ticket, and they'd charge a commission. They were a commission broker. They were "betting commissioners." That's where that expression comes from. They're just like an English bookie who tries to balance--well, they really don't, no.

Lynch: Kynes's and Corbett's were really betting commissioners. Only those two were. They were institutions, I might add. They were wide open. You could walk in there. Nobody bothered them. I don't think they paid off what you would call graft. I don't know. I think they probably passed some money around, just to keep operating.

Fry: The crime commission felt that they were making payoffs.

Lynch: You could call them payoffs, but I don't think it was a very sinister thing, like somebody trying to operate some sort of a gyp joint, or a bookie who was trying to make a profit on the bets themselves. They were trying to get a lot of losers to come in and then buck their book. We had those.

I worked very closely with the crime commission. You'll find one of their reports starts off with my name in it. It's almost like The Bridge of San Luis Rey. It's like One Day in April or something. I went over to see a man named Bill Pechart. This started the downfall of Attorney General [Fred N.] Howser.

Fry: Tell me all of that story.

Lynch: I can't give you the dates, but Herb Caen of the San Francisco Chronicle called Pat Brown one time, and told him that there was a man, E.L. "Buster" Price, who wanted to talk to Brown and could give him the dope on Howser.

Pat was DA then. He talked to me about it. I said, "That's no place for you to go. I'll go." So we agreed that I should talk to this man.

First of all, I knew it was Bill Pechart's place. Price worked for Bill Pechart. Pechart ran the Wagon Wheel, I think, in Albany, at any rate, in Contra Costa County. I went over there with the only investigator we had in those days, and just told him to be there and not to say anything.

Pechart met me at the door. I'll never forget it. He's a great big guy. He said, "I know you, Mr. Lynch."

I said, "I know you too. I had an income tax case against you."

He said, "You don't want to talk to Mr. Price." He was a very gentlemanly guy.

I said, "Yes, I do want to talk to him."

It went, "Yes, you do," and "No, you don't."

I said, "Look, Mr. Pechart, I'm going to talk to him, period."

Lynch: So, "Well, come right in."

We went in. His wife was there, and Price was there. He had been liquored up a little bit, but he was madder than a boiled owl, [laughs] as we used to say. The reason was that as manager he was operating the Wagon Wheel on a percentage--I think 40 percent--which was a device that they used to run big gambling joints. This was a big gambling joint. They ran some of the big games. It was one of the few places they played a Greek game called barbut, because an area can only stand one game. It's a high-rolling game, and what they call a head-to-head game. In other words, people bet back and forth against each other--I don't know the game.

In any event, all of a sudden Pechart announced to Price one day that his percentage was cut to 20 percent. The reason it was cut to 20 percent is that Mr. Howser was going to take 50 percent of the action, or it was going to his boys. That would cut Mr. Price's percentage in half, and he didn't like it, so he wanted to blow the whistle. He had the whistle and he blew it. He told the story about what was going on. You'll find that in Olney's crime report. I may have one.

That was the beginning, really, of what happened to a number of Howser's men and, I'd say, led to his defeat in the 1950 primary. He didn't even get through the primary. Shattuck beat him. But we had blasted him, and Olney had blasted him. That led to other information which Olney dug up.

Finally two of Howser's men, a fellow named Charles Hoy and Wiley H. "Buck" Caddell, went to the penitentiary because they told some sheriff in Mendocino County that they were going to take the action up there, the slot machines and everything. So the sheriff blew the whistle on them, and they went to the pen. I don't think we got Walter Lentz. He was Howser's right hand man, but I don't think we got him. The man who really did the work was Johnny Hanson, and he just died about a month ago. He knew all the answers. He'd been an FBI man, and a funny guy, too. He was one of the old-time FBI men. I had seen him playing cards with Lentz, and Lentz knew that he was after his scalp. [laughs] Just like a couple of prize fighters, you know, they were shaking hands, falling all over each other. Hanson was one of the chief investigators. After that folded, he became the chief man for the Thoroughbred Racing Protective Association, in other words, the head of all investigation for the racetracks out here.

That was the end of Howser, but he's still around.

Fry: Of course, he ran both in 1950 and again in 1954. Why didn't he wind up in the penitentiary?

Lynch: I don't think you could trace anything directly to him. I don't recall that we ever had anything.

Fry: You had Price over there in Alameda County who said that Howser was the one who wanted to take half of his 50 percent.

Lynch: Yes, but Price said that. That isn't proof; that's hearsay.

Fry: So, Howser was able to do this without a trace of anything that you could use for evidence.

Lynch: That's the rankest kind of hearsay. It's only a beginning. Not only that, what Price said was true, but he wouldn't have made a very good witness. As a matter of fact, Pechart tried to insist Price had syphilis and it affected his brain.

I saw Pechart years later up in Nevada. He was gambling boss at the Mapes Hotel, and I met him on the street. They wouldn't let him inside. He had to sit in his car. Finally they cleared him, and he got inside. He was the old school. I used to sit up there. My son was in the hospital up there. I used to go down and talk to Bill for hours at a time about what went on in the old days. He was through with it.

I remember him saying, looking down the street in Reno, "There are a lot of wicked people here. It's an evil place." He probably was right. He knew.

But that was the story, as far as I was involved. I was very close to Warren. I liked him very much. He did a tremendous job.

Fry: You were aware of Warren's concern with the attorney general at that time, I guess.

Lynch: And our concern. The reason we got concerned with him was really--and an element of humor I suppose--there was a fellow who ran a book on Montgomery Street, right near the San Francisco DA's office. Howser knocked him over, right under our nose. He raided the place.

Fry: Attorneys general aren't supposed to do that, unless the local law enforcement invites them in.

Lynch: That's right, unless you have a damn good reason. And he didn't. I don't think we liked him too much after that. [laughs]

Fry: Did that bring on your suspicions that the reason Howser raided this fellow was because he wasn't getting his protection money?

Lynch: I don't know why he raided him. I think it was more to embarrass us. The fellow was a character. What the devil was his name? It was Boquet Cohen. Yes. He was a little bit--everybody knew him on Montgomery Street. He was a character; let's put it that way.

Then there was a big wire service operating. I think with Olney we knocked that off, too.

Fry: Yes, Olney has told us about that in his interview.

Lynch: The wire service came out of Chicago, and that was strictly a hoodlum operation. That was organized crime.

Fry: April 6, 1948 marked the end of that period of the wire service battle. That was when the Public Utilities Commission ordered Western Union and the telephone companies to close down any illegally used wires, right?

Lynch: That's putting it very nicely. Kicking and screaming, they closed them down. The telephone company didn't want to do it. The reason is, they didn't want to get in any trouble over it, but they wanted some kind of back-up. We furnished the back-up and gave them all the information they needed. They were glad to do it once they had enough to go on. But they didn't want to get into a bunch of lawsuits. They were right; I mean we agreed with them. We set it up for them--that is, the crime commission and the DA's office, with very little cooperation from the AG.

Fry: I imagine, yes. After that, according to the crime commission report, there really wasn't much more trouble with any wire service type activity.

Lynch: The big wire service was gone, but it was operating to some extent, I think.

They knocked this one over down in Colma or Daly City, "The Olmo Stables." It was run under that one. That was a big operation. I think we were in on it, but that was strictly--the crime commission uncovered that. They were operating down there in a big stable.

Then there was another one when [Harold] Robinson was in the attorney general's office, under Pat. There was an operation up on Market Street that we knocked off. It was a big operation. There were two of them. We knocked those off.

Fry: Did those have Chicago connections?

Lynch: They do because they're national. Their big connection, their lay-off man, was in Las Vegas. They'd get too big a bet, and they had what they'd call choppers and lay-off men. There would be one guy who's

Lynch: really the book. He was a fellow named Harry Castle. He owned the book, which I found out later. Then we indicted him. He walked in and pleaded guilty without a whimper.

But one man was sitting there with what they call the action. The bets were phoned in, and these were big bets. They were too big. There were other fellows there they called choppers. They'd chop it up. Suppose it was a $10,000 bet that some big gambler phoned in. They wouldn't touch a thing like that.

One says, "I'll take five hundred."

Another says, "I'll take a thousand." Fortunately, they kept a big board, or a sheet, and everybody's name was on it.

Fry: What marvelous evidence.

Lynch: They would get down to the end, and there's still four thousand left over. So, they'd send that down to the fellow in Las Vegas, the lay-off man.

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Lynch: That case had a strange twist to it. We always suspected that Castle had a lot of friends in organized crime. In any event, we had nothing to connect him up with this case, although, as the expression goes, we thought it was his action.

One of the men there, who we had as the principal, got a year in San Quentin, because this was a big operation: twenty telephones out of the place. (You know, some telephone installer put them in there, because in those days you couldn't buy them in the dime store like you can now.)

I got a call from over in San Quentin that this man wanted to see me, after he'd been over there. Like a lot of these big-time operators, they're not unfriendly people. (This goes into the "being afraid of people" business.) So, he called. He had an Italian name. He had lived over in Livermore, and he wanted to see me.

So, I went over to San Quentin and I said, "I don't want to see him in the yard. [laughs] They had a room. I went in, talked to him, said the usual pleasantries. I said, "What's on your mind?"

He said, "You got me on a bum rap."

I said, "Don't give me that."

He said, "Oh, no, I don't mean the bookie operation. I got stuck for the action."

Lynch: I said, "What do you mean by that?"

He says, "You know those yellow sheets you had?" I had a big file of yellow sheets. What they were were the addition at the end of the day. Very strangely, only 50 percent of what appeared to be the intake, or the profit, was apportioned out to the people on the list. So, 50 percent was missing.

I said, "So what?"

He said, "Those aren't in my handwriting."

I said, "What's the point?"

He said, "The Internal Revenue Service is after me, and they're charging me with all of the profit from the action. Fifty percent of it isn't mine."

I said, "You know the answer to that one." [laughter]

He says, "I'm not going to put the finger on anybody, but it's not mine, Mr. Lynch."

I said, "Okay, whose is it?" And he wouldn't tell. I said, "Is it Harry Castle's?"

He said, "Well, you don't have to ask any more questions, do you?"

I said, "No, I don't."

"Okay, I've got to go."

So, we just got some handwriting of Castle's and matched it up, and that was the ball game.

Fry: Fascinating.

Lynch: Yes, it was fascinating. Those things happened.

Fry: There are records in old newspaper files of a lot of old bookie cases that were prosecuted successfully through the first couple of years of the district attorney's office. My impression, and I wanted to see if this was right, is that a large part of your criminal investigation was taken up with these cases.

Lynch: No. That's not a true reflection.

Fry: It's what hit the newspapers?

Lynch: First of all, at the Examiner, bookies were city editor Bill Wren's fetish. Number two, there was a rather strange thing going on. Prior to the time Pat Brown went in there as DA bookies were charged with a city ordinance, which was a cheap misdemeanor. The judges would give them a slap on the wrist or five days in jail, suspended, strictly a misdemeanor.

One lawyer--in fact I think it was Bill Ferriter--came in and raised the point, which is a Pyrrhic victory if ever there was one, that you couldn't charge his client under this city ordinance because there was a state law which preempted it. The only thing wrong with that is the state law did preempt it, and it called for a penitentiary sentence.

Fry: A felony!

Lynch: Yes. So, happy day! The next guy came in; we charged him with a felony. They [the police] almost selected the guy. It's very, very smelly. He's this poor old guy. He was way up in his seventies and, you know, he made a couple of dollars a day, but they picked him out. They figured, "We'll listen to him." Everybody in town was there. They were hanging in the windows, hanging from the chandeliers. One of our deputies was a fellow named Brennan, an old-timer, rabble-rouser. But he had led Pat Brown around by the hand at all the fire stations during the election.

(You've heard this before, I'll bet.)

Fry: I remember Pat told me about a guy that really taught him how to handshake and campaign.

Lynch: That was Brennan. Brennan came in to Judge Murphy's court. Judge Murphy was a tough Irishman. I'd gone to school with him. He went to Santa Clara, a very brilliant guy. He was a member of the Bohemian Club and a raconteur and a literateur and a hell of a judge. He let Brennan--I guess there was a point to it. Brennan was pointing out, "This isn't really the one we wanted to go after, this poor old fellow.

I know the blow was going to fall because Murphy told me. Brennan was a big, bustling fellow. He was a character, and a much older man at that time. He got all through. I remember Murphy looked at him and said, "Are you all through, Mr. Brennan?" Well, that was the time to run! [laughs] People started going out of the courtroom then.

Murphy made some remark about he was not interested in the prattling--I'll never forget the expression--of any deputy district attorney. Brennan always classified himself as the chief assistant at the time, although nobody was. So then, Murphy proceeded to lower the boom.

Lynch: This is part of the history of that time. Judges had a funny device, which nobody ever understood. They would sentence a man to a year in jail and suspend one day. I don't know why, but it meant the judge still had control of the case. At any time he could terminate the jail part and make the rest probation. They used to say that it was probation, but you served whatever time the judge wants in jail. I never could figure out why.

Anyway, a very fine lawyer, Johnny Taafe, was representing this guy. He had a brain injury of some kind. He was in his latter days. Johnny, trying to salvage something, looked up at the judge and he said, "Would your honor suspend one day?" Murphy just looked--he says, "Gladly, Mr. Taafe."

I went in to see Murphy. I said, "What the hell was that gimmick, suspending one day?"

He says, "He is going to do every day of it!" See, Murphy had control of the case. He just didn't like the idea that he was being put upon, and he was. He didn't suspect me or Brown, but he sure did suspect Brennan.

Fry: Who chose this man to be the defendant at that time?

Lynch: The cops, the vice squad.

Fry: In San Francisco, the police are not under the district attorney's office. They are under the--

Lynch: Chief.

Fry: Is the chief of police under the board of supervisors?

Lynch: No, he's not. In those days, technically he was under the three-man police commission. The mayor picked the chief of police. It was a political appointment. The mayor told the commissioners who was to be the chief, and he [the mayor] made all the decisions.

Fry: You mentioned a while ago that you only had one investigator.

Lynch: He wasn't even that. He was a handyman.

Fry: The district attorney of Los Angeles had twenty or so investigators.

Lynch: More than that. He probably had a hundred.

Fry: Did you ever get investigators?

Lynch: Yes, we did. Well, that's the way they kept things in line. These were the things that Pat Brown had to break up. Like, you haven't mentioned the abortion racket, which was the biggest of all the rackets.

Lynch: They had drawn up a charter many years before, and they'd written these things into the charter. They had what they allegedly used to call the strong mayor. That's our form of government, a strong mayor. Now it's divided with the mayor and the chief administrative officer, who sometimes would be subservient to the mayor.

Roger Boas, our present one, I'm sure is not, because he's a very independent person, and well-educated, successful, rich, and dedicated. So was Tom Mellon. But before him, they sort of worked out of the mayor's office.

I remember one ex-mayor who's still alive who was just laying it on the line to me one time, what he wanted to do. I said, "As long as I'm here, you're not going to do it."

He said, "Now, Tom, we've got to get together on this sort of thing." Finally I agreed with him that I'd let him know when I was going to drop the bomb on somebody so that he wouldn't be embarrassed, which was fair enough.

I've had another mayor make a public statement--because I was feuding with the chief of police--that he was going to call me on the carpet. Well, this is how far they would go. He had no right to call me on anything. He couldn't even call me on the phone. I was an independent, state officer.

But mayors had this bred into them that they were it. And they weren't, but they were; let's put it that way. The mayor ran the town.

Fry: The police really didn't have this added power that the DA had, because they really were under the mayor. So, they would be more subject to political pressure.

Lynch: Yes, being an inspector of the police, which is a good job, is being a detective. In L.A., it's not; it's a higher job than that. It's a supervisor. But anyway, call him a detective. To get to be a detective, there used to be a euphemism around that "you had to shoot somebody."

Fry: Another detective? [laughter]

Lynch: No, but be a hero and they'd make a detective out of you, or be a friend of the mayor. When we came in, I'll bet 50 percent of the detectives were political. Now that's all been abolished. There's no more of that. That's why you've got good inspectors.

Fry: It sounds like the whole system was pretty weak in the investigations department.

Lynch: It was true all over, though. There was nothing unique about it. In Los Angeles, they were sending DA's to the penitentiary. They had some of the world's greatest scandals down there until some of the people like Bill Parker came along. Bill solidified the reputation that they have today. Then after him, the present mayor--they were great men. Bill Parker was the greatest chief. I don't know how many people would pick him. He was the most reactionary man I ever knew. But he was a chief of police. He wouldn't stand for any type of breaking the rules. I remember some policemen beat up some prisoners out in the Wilshire substation, and he got every one of those policemen indicted. Some of them went to prison.

Fry: What power did you have over police mistreatment of suspects?

Lynch: If it was flagrant, you could charge them with it.

Fry: But other than that, you just had to--

Lynch: You just had the power of your office, the prestige of the office, that you could expose mistreatment. As time went on, they wouldn't dare do it; let's put it that way.

Then the new breed--that expression is not a trite one; it's true. There's a new breed of policemen. You should see some of those old-timers. There was one guy who was in charge of the auto detail. They used to call him the "Ice Man." He never came out of his office. He had a pinochle game going there all day long. Then the game was over, and he went home.

But there were people coming along, ones that I've mentioned like the Nelders and the Cahills and the Aherns--I'm picking a lot of Irish; Nelder isn't an Irishman--or Scott and MacEnerny and Marty Lee, just to mention a few. They were waiting for their opportunity, because they were good policemen. Walter McGovern, who was a police commissioner during these great days that they had, made the remark one time that the police department was honeycombed with honesty. [laughter]

Inez Burns and Abortion

Fry: Do you want to talk about how the abortion racket became something to go after in the department?

Lynch: It was something. It didn't become one; it was. That was Pat Brown's first objective. Unfortunately, [laughing] he put me in charge of it. We knew what was going on. I knew because I had indicted Inez Burns, who was the chief abortionist, for income tax evasion.

Fry: While you were in the U.S. attorney's office?

Lynch: Yes. I also knew the combination of her safe, which is a strange thing. I got that from the Internal Revenue Service since I was working up there. It was just one of the things that we had. I knew where it was; let's put it that way.

Anyway, one of the first orders of business when Brown became DA was to go after Inez Burns. To use another expression that was prevalent during Brady's days, this was a fountainhead of corruption. She was paying out, I would guess, in the thousands of dollars a week. She was doing twenty abortions a day, but they weren't charging anything, $100, $150, unless they got somebody up from Hollywood. They would soak them for $500, $1,000.

But, Burns was paying off the police. She was paying the coroner's office at that time. I remember they brought one girl in there, before our time. She died from an abortion. They passed it off. They sent somebody else's organs in from one of the hospitals to be examined, stuff like that. I remember the name of the man who did it, but he's gone now. He's got a family. But anyway, that was priority number one.

Fry: I have read statistics on the suspected rates of abortion for well-to-do or middle-class women.

Lynch: Middle-class, strictly.

Fry: Her clientele was middle-class?

Lynch: Ninety percent of it was.

Fry: She looked upon this as a social service that otherwise was not provided?

Lynch: No, she was an ex-whore. She didn't have those lofty ideas. She was after the money. She was as greedy as she could possibly be. She paid off. You wouldn't believe this establishment. I could go on for an hour and tell you stories about it. You'd roll on the floor if I told you some of the things that happened. We even interviewed customers in her place one time.

Fry: How did you manage that?

Lynch: We had a fellow named Harding McGuire, and he was a character. After we raided her place Harding just went right into the office. While we were taking out the operating tables and other stuff, the girls were still coming in. I remember he got one of our secretaries, who was a stenographic reporter--you know, a speedy one--and she just

Lynch: sat down. Harding sat there at the big desk and said, "Bring in the next girl. Would you have so-and-so come in? Now, my dear, how long do you think you've been pregnant?" [laughs] He went through the whole routine.

"Have you been here before?"

"Yes, I was here before."

"Oh, let me see." He'd go through, looking for the name. "Oh, yes. We have you here. How much did you pay at that time?" This went on for a whole day!

Fry: Did they know who he was?

Lynch: No. That's where we got our witnesses. [laughter] The place was tipped off when we went to raid it. I sat there and watched everybody come running out. I was down the block with Marty Lee, and all of a sudden, out comes Inez Burns and her husband. There was a garage across the street where they kept their car. They all rushed over and jumped in the car and drove off. They left the whole place to us.

Fry: [laughs] So you ran the abortion service for a day?

Lynch: She had over $400,000 in her safe, in ten and twenty-dollar bills. She paid off a fortune. I know she used to automatically give every politician running for office $5,000, which they all stuck in their pocket. But we had her bank records. Of course, all these items are disguised, but I think we ran a figure of a couple of thousand dollars a week average over the year. Of course, there were always emergencies that would arise when somebody needed extra dough for something. Where it went, we could never trace, but we had a damn good suspicion.

We know there was a connection with the then-coroner's office. And that's a difference. The coroner's office then was a charnel house. Now it's a big institution, highly scientific and with pathologists. I don't know whether they had a pathologist in those days. Maybe they sent them out. That's how they could switch things.

Fry: Was there any connection between the abortionist rackets and prostitution?

Lynch: No.

Fry: Did Burns have a doctor she sent girls to if they developed an infection?

Lynch: Yes, a very prominent doctor. He didn't want to testify. I was told that I'd never be able to practice law in this town if I called him as a witness.

Fry: Did you call him?

Lynch: What do you think? [laughs]

Fry: I guess you'd have to, wouldn't you?

Lynch: We called him. He was there.

After the threat I said, "Don't tell me I can't call him. You tell Pat Brown to tell me. And if he tells me, I walk out of here."

Pat came wandering in the office, and I told him, "So-and-so says I can't call Dr. So-and-so."

"Do you need him?"

I said, "Sure."

He said, "Well, it's as simple as that. You're going to call him." There was no argument about it. We had them, and cold turkey.

I knew that she had a diary, and I got that from a [city] supervisor, of all people, who used to live in the building where they did the abortions. It was a three-story building. He lived in the lower flat, and there was a secret passageway. It went up to the two floors where they did the abortions. His wife was a big, noisy broad, and they kept saying there was a diary.

What happened was Inez Burns went on a vacation. She had a Navy doctor come in to do the abortions. He used to assist her. He was an M.D., over at Treasure Island. We knew about him too. He had allegedly kept the diary. He found out he was being short-changed. So when she came back, he screamed and wanted a big payoff to cough up the diary. Well, he did. We went through everything, and the diary was a ten-cent notebook. We had it. We didn't recognize it. [laughs] But it was rather cryptic. "Almost the big sleep," I remember, was one expression, meaning somebody almost died. It had the name of the hospital too.

Fry: Sort of a running medical record.

Lynch: Yes, but very cryptic. Then we couldn't find him, but we went around and around and around. We knew he was a blond. We didn't know what his name was. We knew he was Swedish or Norwegian. Nobody would tell us.

Lynch: Finally we got ahold of one gal who had worked there for Burns. Her name was--I'll never forget--it was Sigrid Lino. She was a Finn. She wasn't about to cop out either, but the fellow who was with me said, "What the hell is the name of that doctor? It was Peterson, wasn't it?"

She says, "No, Eversen." It just slipped out.

We were gung ho then. We went through all kinds of medical records and the only Eversen we could find with that name, either with an "I" or an "E," was one named Lorraine. That was out, see; it's a woman.

One of the cops, Frank Ahern, who was very persistent, never gave up. He wasn't going to quit if it took ten years. So, Ahern went out to one of the libraries in one of the hospitals. I think it was when Stanford was here in San Francisco. He went through the library. He knew the fellow had graduated from some school in the East. I think in Madison, Wisconsin. Ahern started going through the books, and he came to Lorraine Eversen, and it's a man.

Then Jack Eyman and I went back to Madison, Wisconsin, and we found him. He wouldn't tell you the time if he had twenty watches. We told him we were going to take him back to California.

He said, "You'll furnish me with tickets and everything?"

I said, "No, we'll just furnish handcuffs."

And he--oh, cold as he could be. He wouldn't move an inch. We really didn't have much on him except his handwriting, but we knew he wouldn't be any good as a witness, and if we threw him in with the rest, we would have nothing then. He wouldn't be any good to us.

We went down to the newspaper. The editor knew he was not quite kosher. They suspected him. He was delighted. We wanted to know if they had a picture of Eversen.

"Yes," he said, "he had a big wedding here." So, we went to the morgue and he comes out and he's got an eight-by-ten of a guy with his Navy uniform on, a full head with a cap on and everything. He gave us the picture. We just promised him if the story broke, we'd give him first crack at it, which we did. The fellow got nailed on abortions anyway, in Madison. Jack Eyman and I laughed. We went in and posed as a couple of salesmen. It was tough to get in the place, all women. Here are all these [laughs]--sitting around the waiting room.

Fry: Pregnant.

Lynch: I was from Lilly, and Jack was from Johnson and Johnson. [laughter] We wanted to see the doctor. We wanted to get a sample of his handwriting. We were all set, and he signs something. He wrote his name down, and he blotted it. I said, "Could I have that, Doctor?" He just kind of looked at me and smiled. He took it and he tore it all up and he put it in his pocket. While he was doing that, Eyman stole the blotter. [laughs] Put it up against the mirror, and there he is. We had his handwriting. All it did was make the diary authentic.

But, we got a lot of our case out of that because we got the girls, and the ones that went to the hospital. You mentioned the hospitals. The ones in there had gone to hospitals, and that's where this prominent doctor came in.

Fry: Was abortion chosen because it was such a big racket and because it was so corrupt, or was it because Pat was so opposed to abortion?

Lynch: No, he was opposed to abortions, I suppose, like I am, but that wasn't the overweening thing. It was the graft and corruption, which was strictly local and infected the whole town, as far as we were concerned.

There were others, which we eventually nailed. There was Alta Anderson, who had a place out on Van Ness, we got her three times. The last time we called her up, and she came out to do an abortion, after she got out of the penitentiary.

One of her girls, a girl named Musette Briggs, was what they call a passer. She actually had Negro blood, but it didn't show too much. We nailed her. She was doing abortions after she'd been in jail. I remember when we walked in, she just looked and said, "Oh, Tom, not you again." [laughter] Something came up about her husband, who was real black. She didn't like somebody, and she said, "He's been going around saying that I'm a nigger."

I said, "Nobody in our place has said that."

She looked at me and she says, "Does it show?"

I said, "I never knew anything about it." I did, but I didn't say anything. They all tried to branch out on their own after they got out. But, it was notorious. People came from all over the country to go to Inez Burns. She had two floors, with every instrument and everything else. They left them all behind. They should have taken them with them. They couldn't take the tables. They weighed a half a ton.

Prostitution in San Francisco

Fry: Was prostitution much of a fountainhead of corruption?

Lynch: No, I don't think it was. They were undoubtedly paid off. There were two madams operating. Sally Stanford was one, which she freely admits, but she just got up and got out of the business. She knew the handwriting was on the wall, and she quit the business.

Fry: Was that when she quit?

Lynch: She ran along for a while, but she knew the pressure was there. She knew the day was coming. One policeman who was after her--I've forgotten his name--tried to bust her twice. The papers had a lot of fun with her, because she was a town character.

Fry: Sally Stanford ran a house, didn't she?

Lynch: Yes.

Fry: The crime commission report said that in the large cities like San Francisco and Los Angeles that most prostitution was handled on a call-girl basis.

Lynch: Both. Stanford had a big place on Pine Street. I think it was in the 1000 block or the 1100 block. It's still there. It was like a fortress. It had a stone front. You couldn't just sneak into it. She had a very distinguished clientele. I don't know whether we raided it or not, but one officer in the vice squad tried a couple of times. He rang the bell, and they handed him a piece of pie or something. [laughs]

Fry: In the face?

Lynch: No, but he never got in. The papers had a lot of fun with it. She just quit and went over to Sausalito. There was another madam, however, that we did bust, Mabel Mallotte. That was during my day.

Fry: Was there a Lorraine Fountain?

Lynch: Yes.

Fry: The crime commission report calls her "Fontaine" once, and "Fountain" the next time.

Lynch: She was known as Fountain. We didn't raid her really. She went out of business, but she left the place, It was over on North Point Street. We went into the place one time. It was empty, a few little

Lynch: things around. One of the things around was her Christmas list, what she got from people, some very prominent people, and what she gave them. She gave one of the reporters on the Chronicle a book on gardening. He still likes gardening too. [laughter] We talk about it. Somebody else gave her a string of pearls, I remember. But I never knew her.

Then there were some real--just what you'd call whores, like the gal named Washington. Before the grand jury, very coyly, she took the fifth amendment by putting up five fingers. She wanted to be a lady. [laughter]

But Mabel Mallotte ran full bore. She was on North Point Street, and we busted that place. She was paying off. She had a very, very prominent clientele.

In fact, we got the books. We had the joint surrounded, let's say, front and back. One fellow, Johnny O'Hare, was told to go around in the back and see that nobody came out the back door. It was an old building, an apartment really, a pair of flats, but they joined together. There was a back porch for a rear entrance. Over the door of the porch is a little ledge to keep the rain off the door. While Johnny's watching there, the door slowly opens, and a hand comes out. The hand has a couple little books in it and puts the two books up on top of the ledge. [laughs] This is the whole story.

Fry: The concern of the crime commission was that houses like that served as distribution points for narcotics.

Lynch: Those places, I'm sure, didn't. I don't think that Mabel Mallotte or--I've never seen Sally Stanford stand for anything like that for a minute.

I had an undercover man working for me who was a fabulous guy. He got in with a couple of them. In fact, he was doing a lot of their bookkeeping for them! He used to phone us. He'd make tapes every day and send them in. On the block before you get to the Stanford Court Hotel, there's an alley there; Joyce Street, I think it is. There was an operation in there. It was a high-class operation, very restricted, but I think it was a narcotic dump too.

Fry: The reason I keep bringing in narcotics is because it's historically interesting since the problem has increased so much recently.

Lynch: That's in whorehouses, but these weren't what you'd call whorehouses. They were real class dumps.

Fry: Where they restricted their clientele.

Lynch: Oh, very definitely. There were no walk-ins in those places.

Fry: Were these referred by bars in town?

Lynch: Maybe the bartender at a given hotel who was very well known to the madam could refer somebody. They wouldn't take anybody blind, I'm sure. There's none of this business of, "Max sent me here."

Fry: That would be the call girls, wouldn't it?

Lynch: There were both. It's two different kinds of operations. A call girl will go to a hotel just to turn a trick, as the saying goes. But, in the madam's place, they might pour champagne, have dinner, get drunk, have a merry old time, chase each other up and down the stairs, and they might have a party.

Fry: The bars that the crime commission was pointing a finger at were Big Glass Bar, Bob's City, Buddy Clark's Bar, Havana Club, Silver Dollar, Texas Playhouse, and others.

Lynch: All Tenderloin bars. They were just going to whores.

Fry: How did you handle those, in your law enforcement?

Lynch: There's not much you can do with them. You pick up a whore, put her in court, and the judge would put her on probation, or fine her $25 and the pimp would pay it. These were mostly street whores. Most of those places were after-hours joints, or what we used to call, water holes, where they'd serve near-beer. One of the drinks was a crème de menthe, which they'd charge $1.50 for. You could drink a gallon of it and not even smell bad.

We mostly left those to the alcohol people to police them. We had enough to do without worrying about those places, really, and there were more than just those.

Fry: These days there's a lot of talk in the papers about the prosecution of the client as well as the prostitute. Was that ever considered?

Lynch: No, it was never thought of. That was dirty pool, I guess, in those days. No, you usually put the girl up for soliciting, and it was usually a plainclothes police officer.

Fry: Is the client in abortion cases also technically liable for prosecution?

Lynch: Yes, as an accessory. But, you didn't prosecute her, no.

Military Police and the U.S. Attorney's Office

Fry: I was wondering what your relations were, during World War II, with military police?

Lynch: Our office had trouble with the military. They had a habit of trying to take people away from us that were legitimately "the property of the state." There would be a rather serious crime, and their attitude is, "We'll take care of it."

Fry: Because it was someone in the Navy or the Army?

Lynch: That's right. We didn't always agree with that because we had no assurance that they had either the competence or the willingness to do anything with them. We had an officer--I remember now he was a captain--and he was charged with a felony, a serious felony. The military just made every effort to get him away from us. You know, that was the old school tie. We wouldn't let him go, and the judge wouldn't either. We tried him, and he got acquitted, [laughter] which made them very happy. It was wartime. It's the same old story. You can get the worst-looking criminal, particularly if he's on the young side, and when you bring him into court, everybody thinks he's an altar boy.

Fry: There was some kind of a terrible riot called the Victory Riot. A lot of people were killed. I thought it was in '46.

Lynch: Oh, was that at the end of the war? I thought that was World War I. I don't think a lot of people were killed in it.

Fry: I think twenty people were killed.

Lynch: Oh, I doubt it.

Fry: Pat Brown called for an immediate investigation to see who was responsible for the lack of control that night, whether it was the Navy or the San Francisco police or who it was. There was a grand jury investigation about it.

Lynch: I don't think anything ever came of it. It wasn't a riot, really; it was a mob. Everybody just--like they used to do years ago on New Year's Eve--got down on Market Street and some of the girls took their clothes off and guys were climbing telephone poles, a bunch of drunks really.

Fry: Yes, the grand jury's only suggestion was that during a riot you have the power to close down the bars and liquors.

Lynch: You could never have that power because it's strictly with the alcohol beverage control people.

Fry: It seemed the war brought in an influx of young guys who had never been away from home before, some of them, and they didn't quite know how to behave.

Lynch: That's right. It was pitiful to see some of them, absolutely pitiful. We were downtown then, at the old Hall of Justice. Right across the alley was the shore patrol. They used to drag some of these poor kids in the hall--sailors particularly--drunk or beat up. They were kids. They were seventeen, eighteen. They didn't know where they were. They'd never been in a big city, had never seen the ocean, were just out of boot camp.

I thought those old-timers handled it very well. It was a clean place, and the guys were safe. They weren't just tossed in a cell. They were cells, all right, but they were sparkling clean, strictly Navy style. But, that's what you had. You had the same thing with the soldiers. When they got a few drinks in them, they got pretty belligerent. You know how bars are.

Homosexuals: The View from Law Enforcement

Lynch: Today, San Francisco is full of gay bars. I think there was one in town back then, the Black Cat over on Montgomery Street. It's the only one I ever knew of. There might have been one or two others. You got two right down here. You have a lesbian bar and a gay bar. On my street here, which is only one long block long, there are gays across the street there. [counts to himself] There are four houses with gays in them.

Fry: How did you handle the problem of homosexuality then?

Lynch: We didn't have it.

Fry: You didn't set up places where you could lay traps for them?

Lynch: Oh, yes. We didn't call them homosexuals. Those were "perverts," the bus depot type. The vice squad had knotholes and one-way glass and all that sort of stuff. They'd pick them up.

Fry: How was this viewed?

Lynch: Just as another part of police work. There was nothing social about it, or nobody went into the psychological aspects. There was no discrimination, so-called. We had a couple live next door to us.

Lynch: You couldn't have a better neighbor. He didn't bother anybody. He wasn't a pervert. He was a homosexual, and there's a big difference. He didn't run around--

Fry: You're talking about the ones that solicit and attack, right?

Lynch: Yes. Go after young boys, for example, or go downtown and look for young male prostitutes.

Fry: Is that where you drew the line?

Lynch: We didn't have any line. People like this fellow or the guys across the street, they didn't bother anybody, so they were never a police problem.

Fry: What was the law then?

Lynch: You had indecent exposure, or contributing to the delinquency of a minor. You used what you had. There were no specific laws on homosexuality. There were unnatural acts, and half of them you couldn't even define, or crime against nature, whatever that is. I'm not sure those old guys didn't do it. Our history tells us that they did it. [laughter]

III SAN FRANCISCO IN THE FORTIES: CAMPAIGNS AND POLITICS

Walter McGovern

Lynch: I never had an official title that was on a letterhead.

Fry: I know. It makes your role in Brown's campaigns very difficult to research.

Lynch: You won't find my name on any letterheads. You might; I doubt it though. When I was Pat's right-hand man, I represented him rather than the candidate.

Fry: What campaigns?

Lynch: The second time Brown was elected DA, in 1947, and when he was running for attorney general in 1946. That was the first time, when he was defeated. I pretty well stayed home and ran the district attorney's office during both those campaigns.

Fry: Could you talk about that campaign?

Lynch: Sure. My problem is confusing the campaigns.

Fry: Tell me your story about the day the Democrats were having their huddle to decide on the slate.

Lynch: I was concerned about whether or not Pat was going to run for attorney general, so I could meet the challenge that I knew I was going to get from Walter McGovern in picking the jury in the Inez Burns case. Walter was a very talented lawyer of the old school, the florid type, a master of invective and of the English language.

He'd ask the jurors the usual questions. "Do you know our fearless district attorney, Edmund G. "Pat" Brown, known to his friends as Buster Brown?" [laughter] Sometimes McGovern would

Lynch: elaborate on it by saying, "...who goes about like the busy bee, flitting from flower to flower and stinging as he goes and who may be a candidate for attorney general? Do you know him? Do you know his assistant, Mr. Lynch, the lean and hungry Cassius? [pats stomach] I was lean and hungry looking. [laughter] It was magnificent. I enjoyed every minute of it because I've never heard it before or since.

Unfortunately Pat walked into the courtroom one day. Walter made a production of that. "Here he comes now." Pat went over and sat down, and Walter introduced him. When Pat's turn came, Walter said, "Do you know Mr. Brown," (the usual routine) "who sits over here?" McGovern goes like this [gestering], and Pat stands up.

Fry: Shakespearean gestures.

Lynch: Yes. Walter lifted Pat right out of the seat, just with a gesture. It was marvelous.

I didn't care whether Pat ran or not. That wasn't the point. He comes back from the convention in Sacramento, and he's got this tag on, you know, with a string. I'll never forget it. It was about the size of that saucer. It was kelly green, and it said "Kenny for Governor." Pat turned it over and guess what? "Brown for Attorney General!" Pat had just been nominated or chosen that day, and they already had the tickets.

If you don't think McGovern had fun with that. I thought he was going to hand a tag to every juror. [laughs]

Anyway, that was the start of the first campaign in 1946. But, it was fun. It was glorious fun. Really, to look back on it--now I enjoy talking about it. It was fun because there wasn't the--maybe we were naive (and probably we were) but there was nothing to do but win an election. You weren't faced with all the problems you have today, you know, the causes and demonstrations. You didn't worry about somebody was going to picket your house because you were prosecuting abortionists. There was none of that. You could go home--no, you could get in the door when you got home.

Fry: Yes. Spoken by a veteran of the sixties.

Lynch: The forties, fifties, and sixties, even the thirties.

[Interview 2: April 28, 1978]##

Lynch: In 1946 Pat was district attorney of San Francisco, and he was nominated for attorney general at the Democratic convention in Sacramento along with Bob Kenny, who was nominated for governor.

Fry: Do you know why Pat Brown decided to run that year?

Lynch: No, I don't. It was a complete shock to me because I was engaged in trial work. As I said before, I was in an important trial, the Inez Burns case. One of the issues in that case was going to be that Pat wasn't really the district attorney, that he was running for attorney general. I was hoping he was going to put the decision off until after we got through with the trial.

As I mentioned before, Walter McGovern, the defense attorney, made the most of Pat's running. McGovern was a very fine attorney, and he had formerly been a state senator and a police commissioner. He knew his way around town.

We were the so-called new broom. As a matter of fact, going a little bit back into Governor Brown's history, I think he probably told you about when he was a member of the Order of Cincinnatus.

Fry: Oh, yes.

Lynch: Pat and Norman Elkington and Chet McPhee and George McLaughlin and one or two others formed this group who sponsored Pat's first candidacy for district attorney. I believe that one of the group's slogans, which is [not] an uncommon one, was "the new broom that sweeps clean." Needless to say, Mr. McGovern had a lot of fun with that slogan.

He also had a lot of fun with the name "Pat" Brown, which is not the governor's name at all. He's Edmund Gerald Brown, but everybody knows the story of how he got the name Pat. McGovern usually referred to him as Buster Brown.

He was the most sarcastic man that ever lived. I can remember him referring to me, not directly, but he almost inferred that I was a slacker in the war. I was a little overage at the time, [laughs] and he referred to me as staying here in San Francisco and "holding back the fog."

That type of oratory is--I guess it might go down South, but it doesn't go any more. It was almost a contest, because I was the so-called federal prosecutor who had just come up from the federal government, and you're very--I wouldn't say cold-blooded about the thing--but you're very matter of fact and factual, without getting into any flights of oratory.

Fry: Or polemics?

Lynch: Yes, and McGovern was of the old school. He flew around that courtroom half an hour at a time and always referred to his client as the little lady. It was fun to listen to.

Brown's First Bid for Attorney General, 1946

Lynch: In any event, that's when Pat Brown first was running. When he got on the campaign trail, which of course necessitated him going up and down the whole state of California, it naturally fell on me to run the district attorney's office to a large extent. I also did politics in San Francisco, and it's changed. This is a very strange community in a way, because you have a proliferation of small community organizations, or you did in that day. You still do, but I don't know whether they are the same ones. For example, you had a French club, you had the Steuben Society, which is German, and you had the alleged [laughs] United Irish Society. You had the various Italian societies, like the Sons of Italy. Oh, I can't think of others, but I'm not leaving anyone out intentionally.

You also had the neighborhood improvement clubs. Every neighborhood has one. We have one right here in Twin Peaks. You even had one that was known as the East and West of Castro Street Improvement Club, and I think it's still in existence.

You had the traditional halls in the neighborhoods. For example, down below us here is Collingwood Hall. That's been there for many, many years. It's always been the scene of political gatherings where the candidates appear, and where they hold rallies. It can be rented for $25 a night, I guess. Down in the Mission on Sixteenth or Seventeenth Street is Dovre Hall. There's Oddfellows Hall, down on Seventh and Market. There was a whole flock over around Hayes Street or in the downtown section, at least twenty meeting halls in that area.

There were various Native Sons parlors, or Eastern Star, or various ladies organizations, Daughters of Pocahontas. Everybody had a political meeting. That was the big deal, to get the candidates or their representatives out for these meetings. So you had to go and represent the candidate.

Fry: Because he wasn't ubiquitous.

Lynch: That's right. He couldn't possibly cover the meetings, even if he wanted to. So, two or three of us would do that, Bill Ferdon, who's the brother of the former district attorney, and his brother Jack Ferdon and Harold Dobbs, who was very prominent here in San Francisco. Dobbs was a supervisor. We used to take turns. We'd even represent each other at some of the meetings. There were so many of them. But the idea was to get the endorsements of these little groups.

Then it got a little bigger than that, because at that time the labor movement was still pretty much on a craft union level, particularly here in San Francisco. You'd have the tile setters, you'd

Lynch: have the bricklayers, you'd have the carpenters, you'd have the sheetmetal workers, and on and on and on. To a lot of union people, particularly the old-timers, their monthly union meeting over at the Building Trades Temple off of Guerrero Street was part of their social life. Some of the meetings were pretty lively. [laughs] So you'd be representing your candidate at those meetings. I did a lot of that.

Fry: Had you done a lot of public speaking before?

Lynch: No, I can't say that I had. But, I had done it in school, and I was usually mixed up in elocution classes or Lord knows what else.

Fry: So that was no problem to you.

Lynch: No, it wasn't. It came rather easily, and it didn't bother me.

Democrats and Republicans: the Central Differences

Fry: I was wondering if you had any view on the disastrous situation of the Democratic party for this '46 election. There was a slate which was called "the package deal." It consisted of Bob Kenny and Pat Brown mainly, but also had two alternatives for senator because they couldn't get either man to drop out.

Lynch: I don't think that was anything unusual. The Democratic party [laughs] is the party of conflict.

Fry: The "unorganized party."

Lynch: Yes. Will Rogers put it that way years ago. He didn't belong to any organized party. He was a Democrat. [laughter] But that wasn't unusual. I think the tradition in Democratic politics is that once a man becomes a candidate, he's really on his own. You still have conflicts in the Democratic party. The CDC [California Democratic Council] is a perfect example of it today. There are those who will seek the endorsement of the CDC and others who will not. There are those who have gotten it and lost, and vice versa.

Fry: What's your idea on why there's this difference between the parties? In this area particularly the Republicans got themselves together before the primary. They didn't have these big knock-down-drag-outs at the polls. They knew who was going to run, and it was all very well lined up.

Lynch: Philosophical. I think the Democrats should take a lesson from the Republicans. But, the Republicans do have the Ripon Society. They have the Birch Society, which is not an arm of the party, of course. You have the CRA [California Republican Assembly]. You have the Bob Finch type of Republican and the Tom Kuchel type, and you have Ronald Reagan and John Briggs and people of that stripe.

Fry: But it was very seldom, for instance, that you would have two different Republican presidential candidates running in California in the same year. It's really quite a difference from the Democratic party, as you were just pointing out. Do you have any theories on why the Democrats are so different from the Republicans.

Lynch: I think the Republicans--this is only my own opinion, of course--have a policy which is an established one. There are certain things that the Republican party stands for fiscally and as far as welfare and social security. There were other things that came out of the New Deal that they were against. They were against it then; they are against them today. I think the Democratic party is much more volatile. They take up, "What is the topic of today?"

Fry: More diverse?

Lynch: Oh, yes, much more diverse. They are hardheaded politicians. I was just reading about Roger Kent this morning. It was still the same old Roger. Did you read in the morning [San Francisco] Chronicle--he's taking on the opinion of the Supreme Court having to do with the liability of a host for his drinking guests. He refers to the goddamn lawyers who are responsible for this. Then he coins a phrase, as only he can do. It's dastardly-bastardly. [laughter]

Roger represents to me the Democratic party, because he's always been the Rock of Gibraltar and speaks his mind. He's not a man who gets on some cause that doesn't appeal to very many people. He's a solid-rock Democrat, a good one. Other people just take up the cause of the day. It's almost like the menu in a small French restaurant.

Fry: In 1946, Bob Kenny tried to pull the various factions in the Democratic party together, and that was why he created this package deal. But, for an attorney general, a package deal might not be all that helpful, because he's running a nonpartisan campaign.

Lynch: Well, no. He's running for a nonpartisan office, but he has to run as a partisan. I was thinking of that, and I wanted to comment on it, that at least in the Democratic party the candidates must run on their own. People say, "Why didn't Lynch and the governor march up and down the state together in 1966?" You don't do it. Neither the Republicans or the Democrats do it, as a matter of fact. You have

Lynch: different issues, and you have to present your own case. As a matter of pride, too, I think, because after all, if you're running for another office in the state government, you don't like to be just a part of an act where you all come out and do a "Shuffle off to Buffalo" because you're all together. You're on your own, and you appeal to different people.

I spent a lot of time running for attorney general in 1966 talking to people, not to get their vote but to inspire them to go out and get votes for me. These were sheriffs, chiefs of police, district attorneys, all of whom were on my side. I didn't have to ask them to vote for me, and I had something to sell them. They knew me. They were in accord with my policies as attorney general. I was trying to persuade them not to sit on their hands, but to go out and vote for me or get votes for me. Wherever I had a chance, I'd mention the governor, but we did not campaign together. You just can't do that in a state as big as California.

Campaign Funding and Techniques

Fry: In '46, who were the early support groups for Pat Brown? He must have had some reason for feeling that he could pull off a campaign.

Lynch: I don't think that he had any large support groups. Pat has always been enchanted by politics, and I don't think he believed he should lose. He loved politics, and he still does. He'd like to be in it right now. Another person would come in and look at it very cold-bloodedly. Pat just goes in with a lot of enthusiasm.

Fry: He just dives in.

Lynch: Yes. I don't think he had any great areas of support. He had some loyal supporters who went out and raised money for him, but those were personal friends.

Fry: You might want to look over these things from the Brown papers. I did bring along a list of names that the Brown people were hoping would be supporters with real money behind them. I don't know who wrote this memo, but I found it in Pat Brown's papers. It says,

> In my opinion I should take to lunch every contributor such as Max Sobel and Barney Norwitt at the earliest possible moment.
>
> A strong finance committee should immediately be gathered together with Louis Lurie as chairman and Parker Maddux as treasurer. The Committee should consist

Fry: of Garrett McEnerney, Maury Moscowitz, Marsh Leahy, Robert McNeil, Barney Norwitt, Max Sobel and others suggested by Louis Lurie and Parker Maddux.

Every industry in town should make a contribution.

Then he lists twenty-two industries from night clubs to oil companies to groceries. So, that might help you remember.

Lynch: Yes, I know all these people. I would say this is fine if you were looking at it and knowing all of the people you mentioned-strictly San Francisco, and a great collection for running for district attorney. Max Sobel is a local liquor dealer, very nice person. Parker Maddux was president of a San Francisco bank. Marsh Leahy was a prominent lawyer, an old Olympic Club friend of Pat's. Barney Norwitt ran a big super service station, and perhaps a few other things, out in the Mission. Maury Moscowitz was a little guy around town. He could raise some money, I guess. Garrett MacEnerney is a prominent lawyer. He's the nephew of the Garret MacEnerney, who's a great benefactor of the University of California. He handled the old man's estate. Of course, you know who Louis Lurie was. Lurie never gave an awful lot of money. Louis Lurie was a multimillionaire, but he had no political clout whatsoever.

Fry: Did he contribute anything to the campaign, like his friends' money?

Lynch: No. I know Louis Lurie. He loved to be involved in these things, but he never gave out a tremendous amount of money. Louis liked to be sitting at the head of the table. As a matter of fact, he did every day. Over at Jack's Restaurant he had his famous table.

You've got your hotel industry, [reading from memo] "at least $2,500." That's chicken feed. That's nothing. "Tobacco dealers through Mike Tilles."

Fry: But, in '46 wasn't that pretty good?

Lynch: For attorney general? No. [looking at memo]

Restaurants don't give money. Taxi cab companies, there's only one. They don't give a lot of money. Theaters--they don't give anything--personally, the Naifys might. Trucking companies--that's Ed Hills. He would take care of that. Breweries--well. Nightclubs, they don't give money. Oil companies, vending machines, automobile companies. Attorneys, yes. Insurance companies, perhaps. Lumber companies--we don't really have them. Chiropractors--I don't know how that one got in there. Wholesale fruit and vegetable dealers, banks, creameries, groceries.

Fry: I think the chiropractors at that time were very interested in who would be attorney general, for some reason.

Lynch: I would not compile a list like that, even in those days. It's like Willie Sutton said. "Somebody asked him why he robbed banks. He says, "That's because that's where the money is." Jesse Unruh says that money is the mother's milk of politics, and you have to go where the money is. And the people on that list--that's not where the money is. The money is with individuals who have money.

Fry: This was in a 1946 campaign file. It could be for the district attorney race instead of the attorney general campaign. But, at any rate, in 1946 you were working in San Francisco for Pat. Do you remember being sent out to contact any of these groups on the list?

Lynch: No, I knew all of these people. I wouldn't be doing it. I knew Sobel, and I used to have lunch with Lurie maybe once a week or once every two weeks. Whenever he had an empty chair, he'd call me. I was only a block away.

There are some there I'm surprised aren't on the list, like Jake Ehrlich. I think Jake was mad at Pat then.

Fry: Ehrlich was helpful in other campaigns, wasn't he?

Lynch: Yes, originally he was. He was helpful in the '42 campaign, but I think he and Pat had a falling out after that campaign.

Fry: This memorandum is dated August 17, 1946, from Norman Elkington to George Lynn. Norman Elkington is now a judge and was Pat's long-time friend, right? It's a list of potential contributors.

Lynch: Right. They had belonged to Cincinnatus together. Elkington was a practicing lawyer with Harlow Rothert. Elkington came into the office the same time I did. He became chief trial deputy. After he'd left the DA's office he returned to be my chief assistant, at my request.

Fry: Who is George Lynn, maybe a pro in that campaign?

Lynch: Could be, yes. Did Norman write this?

Fry: It says to George Lynn from Norman Elkington. Here's some more dope on contributors. This would be for the general election.

Lynch: I would say it's a list that almost anybody--oh, now Elkington didn't write this, unless he's writing in the third person. He's got an entry here for Al Ichelson. [reading the memo] He said, "Note: Elkington had a lawsuit against him several years ago, so his name should be omitted." John T. McCarthy, Chet McPhee, Maury Moscowitz, Andrew McGinnes and Tony Martinolich. McArthur, the Niles Hotel; Milton Morris, Associated Homebuilders; Barney Norwitt.

Fry: Who is McArthur?

Lynch: I don't know. I never heard of him.

Fry: This memo said McArthur gave $10,000 to Robert Kenny's campaign. He's in Alturas.

Lynch: You run across people like this every once in a while. All of a sudden they pop up and they'll give a large sum of money. [reading from memo] Jim Purcell, he's a lawyer in town. Ed Pauley--

Fry: Elkington notes that Pauley should be good for quite a bit of money.

Lynch: Yes, well, that shows you how little some of us knew about Pauley. Ed Pauley is head of the Pauley Oil Company, a very prominent Democrat, and has held high national office. He almost was secretary of the Navy. He's good for a lot of money. He's given lots of money. He's given money to me.

George Pitzer. I don't know who he is.

Fry: But now, there's a nightclub person, and Elkington thinks he would be good for a heavy tap.

Lynch: Rex Holloway thinks that. The last I saw of Rex Holloway, he was selling sewing machines.

Fry: So you don't really think his judgment would be all that good. [laughs]

Lynch: No, he talked a big deal, and that's all of it. Stanley Reinert, I don't know who he is. I don't know who C.P. Rendon is. [reading memo] Marsh Leahy Oliver Rousseau was a very prominent builder here in town. Dr. Harry Ryberg.

Fry: Starr of the Independent Oil Company in Los Angeles.

Lynch: And I don't know who he is, either. Ben Swig. Savanic--I don't know who he is--promised a hundred billboards.

Fry: I thought maybe you had handled billboards.

Lynch: No, I didn't.

Mel Sosnick is a local tobacconist. They're not big contributors. None of these people are, that I know, outside of possibly Ed Heller, who was a very wealthy man--that's Ellie Heller's husband--and Ed Pauley. They would be large contributors. They've got Barney Norwitt down here for $5,000. I doubt very much that they got that out of him.

Lynch: I don't know who Savanic is, but I can tell you a little political thing. Today as you go around--where you can find billboards any more--you will notice that you'll see a number for, say, Cutty Sark whiskey, or a savings and loan. Home Savings and Loan, let's take that one. They'll have several hundred billboards around the state. They are controlled by an advertising agency. Through the proper contacts (and this is done politically all of the time, because there are no available billboards) Home Savings will release them to you for, say, the last thirty days of the election. You go put your paper on the billboards. Now, they may donate them, usually not, or you pay for them for the thirty-day period. In other words, you pick up that much of their contract.

Fry: This is the advertiser who's currently using those billboards. You are sort of sub-leasing?

Lynch: That's correct. Or they may possibly donate them. I've had a close personal friend donate the largest board in Los Angeles to me, but it was strictly on a personal basis. It was not political. He didn't live in California.

Fry: That makes sense. There was a note in the Brown papers somewhere that Pat Brown jotted to Ed Hills in a later campaign, in which he asked Ed Hills, "Why don't you do what Tom Lynch did?" You go around and try to get some billboard space in the last four to six weeks of the campaign from people who have already rented the billboards?

Lynch: When was this, when I ran?

Fry: No. Pat Brown was referring to what you had done.

Lynch: Oh, I know, when I had run for DA. That's right. I ran for DA. That wasn't quite the same picture, because you could even get the billboard people to help you on that. It was a local issue, and they had their boards up. And I'm sure they liked to keep on the good side of the district attorney. But, there were a lot of people whom you knew who had these boards. I don't know whether I had Max Sobel's boards, but if I wanted them, I could have had them.

Fry: Is that why Samish had such control of billboards? He talks about that in that Collier's article.

Lynch: That's correct.

Fry: The whiskey and the beer industry had their own products advertised on billboards, and Samish could convert these to political ads.

Lynch: That's right. He'd give you boards. I imagine he could give them to you. He could get them released for you. There are several ways of handling it. But the point is, there are no available boards.

Lynch: They are all in use. You never see a blank billboard. So, you have to go that route in order to get one or two or three or four.

Fry: What else did you do in that campaign? Did you work with the newspapers?

Lynch: No.

Fry: What about your own fundraising?

Lynch: That was all in the hands of Louis Lurie again. [laughs] But I didn't raise any money to speak of. I think that year I had Louis Lurie, and he just got money from people like these, Parker Maddux. All my money really came from personal friends, Ben Swig and people like that whom I knew, not an awful lot of money. We put most of it into billboards. Now, you're talking about when I ran the first time, see, the first term.

Fry: Oh, I'm still talking about Pat Brown's first attorney general campaign in 1946.

Lynch: Oh, I had nothing to do with raising money.

Fry: So, you're talking about your own campaign.

Lynch: Yes.

Fry: The way I have this organized--and we don't have to follow this outline if it's easier for you to remember some other way--I'm running through questions on Pat Brown's campaigns first. Then I'll go back, and I thought we'd take your campaign.

Lynch: All right.

Fry: Pat Brown told me about some public relations man that he had working who in mid-campaign changed over to Howser, his opponent. Were you aware of that pro?

Lynch: Yes, I remember that, but I don't remember who that was.

Fry: He couldn't remember his name.

Lynch: I do recall there was an incident like that, but I wasn't privy to much of that because I did not sit in on the inner councils. What I learned about the campaign, I probably learned directly from Pat Brown himself when he'd be in the office.

Fry: Were you spending more time running the DA's office than you were campaigning?

Lynch: I ran the office on a full-time basis. Working on the campaign was all done in the evening. All those meetings are in the evening.

The Civic League of Improvement Clubs

Lynch: Some of these campaign techniques may sound trivial, but they're not. The majority of these groups put out what we used to call a mailer or a slate card. You've probably seen these cards.

Fry: Post cards?

Lynch: Like a post card, but it's a slate card. It's got the names of candidates whom the group endorses. For instance, the French Club or the Lafayette Club would send out a slate card to all of their members, and it would pretty well get through the French colony. The same would be true of the Sons of Italy or the Steuben Society or any of the others. The local clubs would do that. The neighborhood clubs would do it. I don't think they did it too much.

But, then there would be Democratic clubs who would do it. In other words, there would be the Excelsior Democratic Club, if there was such a club. There were various Democratic groups. These groups sent out a considerable mailing. [laughs] Some of them billed you for it too. The big one was the Civic League, so-called Civic League Improvement Clubs. You could do research on that for a long time.

Fry: That rings a bell. What was that?

Lynch: It was a collection of very prominent gentlemen. Mr. Swig was one of them, and Elmer Robinson, the mayor, was another, and all of their friends and cronies. They called themselves the Civic League of Improvement Clubs. I don't think any of them belonged to improvement clubs. I know Ben didn't, and I doubted that Elmer did. But they had this big group organization, and they would endorse candidates. They were very, very political.

Fry: It was just a candidate endorsement group?

Lynch: That's all they ever did. I don't know of anything else they did. But they did put out what we call a slick paper mailer. It would be a two-page foldover on slick paper. It went to every registered voter.

Fry: Every one?

Lynch: Yes, ma'am, and you paid for it.

Fry: Who paid for it, the candidates?

Lynch: That's right. It was on a graduated scale. If you were the principal candidate, like for mayor, you would try to get the big picture. It's like--you've seen programs and things. If you were running for a minor office, you'd get a small 3 x 3, or whatever the size was. You paid on a graduated scale. I'm sure that also paid for the big dinner they had and maybe a few other little things. But the payment was substantial. You might be called on to pay as much as several thousand dollars.

Fry: Wow! So, in Pat's case, in '46, that would have been quite an expense because he was running for attorney general.

Lynch: If he was endorsed at that time by the Civic League. I'm sure he probably would be, being a local person. That has been a possible subject of inquiry by the newspapers over the years, but they've never done it. They have never really--I wouldn't say expose them--but just laid out exactly who all these people were. Some of them did represent improvement clubs, but most of them didn't. I remember Bill Lahanier, who was one of them. Bill's a very lovely guy, but he never belonged to an improvement club in his life.

Fry: Did you tell me that Ben Swig belonged?

Lynch: Yes. I don't know whether at that moment, but he had been very prominent. The proof of that is the meetings were always held at the Fairmount.

Fry: [laughs] You were telling me that the mailings were important and were most effective as a technique.

Lynch: Very. That's right.

Fry: Pre-television.

Lynch: It was long before television got as involved as they are now, where they themselves endorse candidates. Slate card mailings were very prevalent for many, many years. The interesting thing about it is that in those days you also got a card with your sample ballot, where you could fill it out yourself. Most of these slate cards looked like that.

Fry: Like a small sample ballot?

Lynch: It wasn't a sample ballot. It was the card that came with the ballot, where you could put your x's. So, you could take the card with you into the polling booth.

As a matter of fact, that used to be the subject of the garbage poll, as you're getting into old-time politics. Whoever was interested in how a precinct was going would put a convenient wastebasket right outside the polling places. Voters would throw the old cards in. So, people would come along in the afternoon and count the cards to see how the voting was going. [laughter] That was known as the garbage poll.

Fry: I have one other paper here. It brings up a question that I thought you, as a legal brain, could explain to me. It's a question about campaign contributions from trustee funds. Here's an example of one Maurice Norcop saying, "Herewith is my Trustee Check #159...made payable to the order of Garrett McEnerney II, Esq." This is October 25, 1946. Norcop said it's a campaign contribution to the treasurer of the campaign of Edmund G. Brown.

Then there was one, I think, where Pat Brown himself is the trustee for somebody. Here, you can read this letter, and I'll find the other one. [searching through papers] Yes, on the other one Edmund G. Brown is trustee for a J.D. Elliott.

Lynch: It's probably a client. I really don't know what happened in the case, but I could tell you what could happen. A lawyer is handling the personal affairs of some person, and it might be some very charming elderly lady. She said, "I'd like to have you send a check to the Pat Brown campaign." So the lawyer sends it, and he just [chuckling] cops out that he's a friend of Howser's. That was Frederick Napoleon Howser, not the lieutenant governor [Fred F. Houser].

Fry: [laughs] Even though the attorney is for someone else, he has to send a campaign check to Pat Brown.

Lynch: Yes, I think that's all that amounts to.

Fry: There are so many ambiguous things like that that crop up in papers when you go through them.

Lynch: It's very easy, because in involved litigation there will be money coming in, and the lawyer will just keep it in the trustee account for the client. In fact, he has to. If you have any client's money, you put it in a trust and you're authorized by the client to draw it out. See, there's background to that. The lawyer is not going to dip into a client's account. He'd get disbarred.

At that time, as far as I know, there weren't any limitations on who could or could not contribute, like there are today.

Fry: No, there weren't many at all.

Lynch: There weren't any.

Fry: Especially if you contributed to the candidate himself--or was it vice versa?

Lynch: No, to a committee. Let me explain that. That's not a committee of the candidate. It's a committee who's devoting their energies to getting the candidate elected. These are the "Friends of Pat Brown." He has no control over the money, but his campaign people might suggest that "maybe you people could get some billboards for us." They allegedly are handling it on their own. These are what so-called committees are.

Fry: But I should think that the candidate would meet with them.

Lynch: I think the candidates usually do.

Bloc Voting: Ethnics and Labor

Fry: I wanted to ask you more about the community groups in San Francisco. Which would you say was the strongest one, the one that you would woo the most to support you?

Lynch: I've never been a believer in the fact that there is the so-called ethnic vote, or was. There is today because the ethnic picture is completely different. You've got black and Chicano and to some extent the new Orientals coming in from Hong Kong. Back in these days--we're referring to the '46 campaign--I always doubted very much that there was any type of bloc voting. But, by the same token, there was no reason to antagonize these people. In other words, as an Irishman, I'm not going to go out and insult all my Irish friends, because their natural tendency would be to vote for me as an Irishman, or as an Irish-American. If you're sort of neutral, like Pat was--he was Irish and German--you wanted to have these people feel kindly toward you. You didn't get a bloc French vote, or a bloc Oriental. There are Catholics; there are Protestants; there are Masons; there are Knights of Columbus. The ladies are Eastern Star, Pocahontas, you name it. Every ethnic group or old-time group is just the same as anybody else.

Fry: So you couldn't speak in terms of those votes. Could you think in terms of something like a labor vote?

Lynch: Yes.

Fry: Or the Mason vote?

Lynch: No, not the Masons. That would be a personal thing with somebody perhaps, but an organization, no, no more than there was a Knights of Columbus vote. There aren't enough of them anyway. But labor, yes; definitely labor, because they were active. I'll just pick one out. For instance, the Lafayette Club, which represented a lot of French people, would hold a very nice meeting and be cordial to everybody. They would sit around and decide who they were going to endorse. They'd send out the card, and that was it.

Labor, no, they were very aggressive about it. Labor people are indoctrinated with, you know, "working together." If the labor bosses say, "This is the candidate who's going to do the most for us," that candidate will get a pretty good following because labor has something at stake. Being a Frenchman, an Irishman, an Italian, that doesn't mean much to you. Or there isn't much that the governor or the attorney general is going to do that will affect your life as a Frenchman or an Italian or whatever it might be. But there is in labor.

Fry: Pat Brown lost this 1946 election to Frederick Napoleon Howser by over 300,000 votes.

Lynch: That's not much.

Fry: Not for a statewide election, it isn't. So was that looked upon as hope for another campaign?

Lynch: Oh, very definitely. Of course, there was more to it than that. We knew enough about Howser by that time that we felt pretty confident that he could be defeated in the next election. I think a bit of that was beginning to filter down into his own party, which afterwards proved to be the case.

Fry: So in '50 you had more defections from Republicans?

Lynch: You had big defections. He didn't even win the primary. [laughter] That's what I call defections.

Fry: What about the Republicans in '46? Was there a concerted effort to get Republican votes in '46?

Lynch: I couldn't tell you. I wasn't close enough to the statewide picture.

Brown is Re-elected District Attorney, 1947

Fry: I have some names here of big donors. Max Sobel gave $1,000 in August. There was $1,500 that came in from the Democratic State Central Committee. There was $500 from the teamsters' warehousemen's union.

Lynch: As I recall, the Teamsters were against Brown in that campaign.

Fry: This is just warehousemen?

Lynch: Warehousemen are ILWU [International Longshoremen's and Warehousemen's Union]. Maybe I'm ahead of time. I know now warehousemen belong to the longshoremen's union.

Fry: Maybe these were different warehouses, or truckers' warehouses.

Lynch: Yes, they could be interior warehouses. But, those aren't big contributions. Those are small.

Fry: No. Well, these were the biggest ones that were reported.

Lynch: I don't think you had the reporting laws then, either. I know you didn't have to report the amount.

Fry: It's impossible to tell what really happened in a campaign from the records.

Lynch: The year I ran, in '66, you had to report the people who contributed, but not the amount. You had to report the gross amount, and who contributed.

Fry: Somehow the amounts were on this list. Then this went right on in to his 1947 re-election campaign for district attorney. Is that right?

Lynch: That's right, yes.

Fry: You were in on that 1947 election, too. What did you do there? Were you on the finance end?

Lynch: Not really. I'd represent Pat. I'd speak for him at luncheons where he couldn't be. You can't cover all the bases. I covered bases and made appearances along with, oh, I think Al Del Carlo, who was working with us at that time. His brother was Dan Del Carlo, who was very prominent in the labor movement. I remember we spent a month. I think that was the year. I'm almost positive. I can't give you the

Lynch: dates, but anyhow, we spent one whole campaign out at the Building Trades Temple, speaking every night to three or four unions, sometimes to tremendous audiences of fifteen or twenty people. [laughter] Some meetings you'd get up and say, "Fellow candidates--" [laughter]

Fry: Yes, I've seen those too.

Lynch: I've seen millions of them. But that was the type of thing I did. You did the same thing, going around locally. There are literally hundreds of places to go. You could go out every night, and it's a short period. In San Francisco we didn't have a primary.

Fry: So you go for broke.

Lynch: Go for broke. For district attorney you don't run in the general election.

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Fry: I have some names of who ran that campaign. Pat Brown was running against George V. Curtis.

Lynch: That's me. Curits didn't run against Brown. I forget who did run. I'm almost positive. Curtis ran against me. I don't know how Curtis could run against Pat.

Fry: That's from the election results in the Chronicle. They said Pat Brown won against George V. Curtis.

Lynch: Well, that must be true.

Fry: Curtis must have run again, then, against you.

Lynch: Oh, he did run against me. George Curtis was a retired police officer. I think he was on disability. He'd been a motorcyle cop and had fallen off the motorcycle or been in an accident. He had graduated from Lincoln University here in town, which was a small--non-accredited I think at that time--university. As I recall, Curtis was the only one up to that time who passed the bar from Lincoln. That might have been the first class. But in any event, he didn't even win a precinct. He had no campaign.

Fry: The only thing I found in our papers was a note on August 18, 1947, that you'd collected a total of $605 from Howard M. Gorss. Did I copy that down wrong--G-o-r-s-s?

Lynch: Oh, Howard--wait a minute now. That would be Gros. There's a Gros who was a very wealthy man connected with either the telephone company or the PG&E. It's not Howard Ellis?

Fry: No, it's Howard M. Gorss.

Lynch: No, that isn't it. His name was Bob Gros. I don't know who that is.

Fry: [reads from list] Ted Still, T.W. McCormack, M. Farberstein, Emil Baumgarten. You still look blank. [laughs]

Lynch: I don't know any of them.

Fry: Jack Tinsler, Elmer Dawson, Mel Sosnick?

Lynch: I know him.

Fry: Al Shepston and A. Chin, who I think was a man in Chinatown.

Lynch: Oh, it was full of them. [laughter]

Fry: I know it's full of them, but Pat had told me there was a Chin who always kind of organized--

Lynch: Georgie Chin. George Chin.

Fry: This is A. Chin.

Lynch: It's a Chin. George Chin worked for Pat. He worked for me.

Fry: In the district attorney's office?

Lynch: Yes. I don't know whether he did at that time. There was an Art Chin who was a fund raiser. He was an accountant.

Fry: Anyway, you had at least $605 to spend on this 1947 campaign for DA, which you must not have been very worried about.

Lynch: I don't recall that incident at all.

Fry: The campaign must not have been a very hot campaign.

Lynch: No, it definitely wasn't.

Fry: Yet it was your first local campaign to work on.

Lynch: That's right, except for the local aspect of the AG campaign.

Fry: Do you remember what your position was?

Lynch: I really don't. In most of those things, you weren't working politically in the daytime. You worked at your job, and the campaign was something you did in the evening. There was nothing terribly important about the campaign, because if Pat's opponent was George Curtis, that wasn't much opposition.

IV PAT BROWN AS ATTORNEY GENERAL, 1950-1958

The 1950 Statewide Election

Lynch's Role in the Attorney General Campaign

Fry: Then after that district attorney campaign was over, Pat Brown was all set for two and a half years. Then he had the 1950 attorney general campaign. How soon did you start gearing up for that 1950 campaign where he again ran against Howser, but also had to run against Ed Shattuck?

Lynch: He didn't run against Howser. Howser ran in the primary and was defeated by Shattuck.

Fry: That's what I mean. Brown didn't have any serious competition on the Democratic side of that primary, so in the primary his only opponents were Shattuck and Howser, who both were running against each other. That was one of the questions I wanted to ask you. Do you remember if Brown's campaign was directed any more towards Shattuck than Howser, or vice versa?

Lynch: I know we assumed that the candidate was to be Howser and that Howser would win in the primary because he was the incumbent and because he did have a political organization, among other things. As we knew at that time, he was involved in a number of things around the state.

Fry: Then to your big surprise--

Lynch: Shattuck won the primary. Howser got 276,000 votes. Brown almost beat him on the Republican ticket. Brown got 248,000, Howser got 276,000, and Shattuck got 551,000. Over on the Democratic side Howser amazingly got 400,000 votes, but Brown got 700,000.

Fry: What was Howser's appeal to the Democrats?

Lynch: I don't think the party lines were clearly drawn in those days. You weren't really voting party unless you were a dedicated party member. I don't think people paid much attention to party labels. I don't know what it was.

Fry: Except you had to ask for one or the other ballots when you went up to the ballot place to vote.

Lynch: Not in the primary, because candidates cross-filed.

Fry: I know, but that's how these statistics come out of the election. There were a number of Democrats that asked for the Democratic ballot. Howser got 400,000 to Brown's 700,000.

Lynch: I don't know, of course, but that might not have been necessarily Howser. Let's see what some of the others were. For example, 665,000 Democrats voted for Goodie Knight. So a lot of Democrats were voting for Republicans, and they'd been in the habit of doing it because of the success of Earl Warren. So, I think you'd find that 665,000 figure was a consistent number. Well, it was a consistent number. For instance, Tom Kuchel, who was running for controller, got 893,000 Republican votes and 879,000 Democratic votes.

William Bittner beat himself for controller. What was he, anyway? It doesn't say what he was. He got 159,000 Republican votes and 272,000 Democratic votes. Paul Collins got no Republican votes. I don't know why. He didn't cross-file. There were some people who did cross-file who got beat out because they didn't win their own party.

Where did I see that before? [referring to campaign manual]

Fry: This is a speaker's manual for Pat Brown's 1950 campaign. Harry Lerner was in this campaign, so it must have been his first time to run a campaign for Pat.

Lynch: Lerner either did it or hired somebody to do it.

Fry: But, the manual looks familiar to you?

Lynch: I've seen the fellow whose picture is on the cover before.

Fry: [laughs] Pat Brown.

Lynch: I don't recall. I probably saw hundreds of those. I probably passed them out to workers in the campaign. Every time you ask somebody to represent the governor or to represent Pat at the meeting, the first thing he says is, "What am I going to say?" So you hand him this paper. A speaker's manual is a must.

Fry: This one has some good things in it. For one thing, it has a copy of that grand jury report when Pat Brown was district attorney, and it gave a glowing report.

Lynch: There's no reason why they shouldn't, because he just absolutely revitalized the whole district attorney business in San Francisco.

Fry: How would you characterize your part in this election?

Lynch: Same.

Fry: Just San Francisco?

Lynch: Pretty much. I think I probably moved around a little bit in the general area here. I might be called on to go up to some place nearby, like Willits or Davis or Vacaville or over in Marin County or down the Peninsula. I did go down to Los Angeles, one time, but I didn't make any speeches down there.

I was still Pat's chief assistant. So I'm his alter ego as far as the district attorney's office. I had to stick pretty close to that, and we were very busy. We were trying cases like there weren't going to be any more, Elkington and Jack Eyman and myself. We only have three superior courts, and I would say we were on trial almost every day.

Fry: And then doing this work at night.

Lynch: Oh, yes. That's the name of the game. That's not unusual. You couldn't go off in the middle of the day and do it. You could at a luncheon. But, there are a lot of things you wouldn't file away in your memory or catalog, like going to a Rotary club or a Kiwanis or a Lion's club. I don't know how many Lion's clubs there are in town, and they're just bursting to get speakers.

As a matter of fact, I know that they pass the information along, whether you're good or bad, in the newsletter they put out, which they send to all the other clubs. They will say that Joe McGinnis was the speaker today, and there will be a little pithy statement that will indicate to the chairman of the day at all the other clubs who is a good speaker and who will empty the place in less than ten minutes. So if you're any good at all, you've got lots of engagements.

Fry: Were you connected with anything else? Did you talk to any newspaper publishers?

Lynch: Yes, I did. I knew them all. I was particularly friendly with Charlie Mayer on the Examiner and Lee Edelson and the people who were at the Examiner. I knew the people at the Chronicle too, and at that time we had the Daily News. Frank Clarvoe was their editor. Mary Ellen Leary was working there.

Fry: Were they good supporters?

Lynch: I would say yes, as far as district attorney. I don't think the Chronicle endorsed Pat, because they would usually go along with the L.A. Times, or did in those days.

Fry: The L.A. Times was heavily Howser.

Lynch: Yes. If the Times went along, I would say either the Chronicle stayed aloof, or said a good word for both, or endorsed Howser. I doubt very much that they'd give Pat--at that time--100 percent backing. I may be wrong. I do recall that a highlight of any campaign was getting a newspaper endorsement.

Fry: In 1950, was there much TV? I have one note here about television broadcasts with Shattuck on September 19, 1950.

Lynch: It was a rarity. It was an event. It wasn't utilized like it has been in the last ten years, sixteen years. The science of using television was not understood. In other words, a person thought if you were going to be on television, you'd be on for fifteen minutes, which is the most boring thing in the world because you're competing today with "All in the Family" or Mary Tyler Moore or Merv Griffin. I was told by a TV man in Los Angeles, "Never use more than thirty seconds, and if you can avoid it, don't do it yourself."

Fry: Have someone else do it?

Lynch: Yes, sure. It's better to have someone else say, "I'm for Tom Lynch," than Tom Lynch get on and say, "I'm for Tom Lynch," because that doesn't surprise anybody.

Fry: What did you think about the idea of a debate, in 1950, between Shattuck and Pat Brown?

Lynch: I'm not aware that that came up. It came up very strongly during the Nixon campaign, but I don't recall it coming up. I don't think a debate at that time in the political infancy of television--not the infancy of television--would have been attention grabbing like it is today. I don't think the debate really came into prominence until, of course, the Kennedy-Nixon debates in 1960.

Fry: I wonder if you could tell me about that Drew Pearson item on Shattuck. This is the campaign where somebody found that Shattuck had written to a public relations person in California to try to get Shattuck to barter an Army commission which Shattuck could help get for this PR person, in exchange for forcing Earl Warren to give Shattuck an appointment as California's Selective Service director. This was back during World War II. Shattuck was at that time in Washington, and he wanted to return to California. This was made a lot of in the press.

Lynch: If I knew about it, it has escaped my memory completely. I do know this, though, that as far as Drew Pearson is concerned, a lot of those items were planted with him.

Fry: I think this item was given to Drew Pearson. I don't know who found out about it here on Pat's staff. I have a copy of the press release that was sent out about the Drew Pearson article.

Lynch: I don't recall it at all.

Fry: You don't remember [laughs] making speeches on that, to show that Shattuck was not a worthy--

Lynch: No, I don't. I remember an unusual thing in that campaign, as far as Shattuck was concerned. I appeared on behalf of Brown at a very important endorsement meeting. It might have been the Civic League. Shattuck appeared himself.

Fry: Did that turn into a debate for you and Shattuck?

Lynch: No. At those things you made your presentation, and the other candidates made theirs, to people who had already made up their minds.

Fry: What did you think about Shattuck?

Lynch: I thought he was a nice person. [picks up paper; laughs]

Prentiss Moore, a Los Angeles lawyer, was very close to Pat. I think he's now a judge. This paper says, "Prentiss Moore, chairman of the veterans committee supporting Brown, in a statewide radio broadcast castigated Shattuck." I'm shortening it up. Oh, this is a press release. This was dug up by the campaign staff or somebody connected with it. Prentiss Moore was used as a voice to put it out because he was chairman of the veteran's committee. It was also fed to Drew Pearson, which was a normal course of events [laughs] in politics.

Fry: Also in this 1950 campaign, I think Pearson picked up something from the Helen Gahagan Douglas people to use.

Lynch: Yes, Pearson did a lot of that. He also put on a TV show, I think, during the 1962 Nixon campaign, where he questioned people like Libby Gatov and Roger Kent. I think I was on it too. I think I sat on the stage or some damn--I remember Pearson was asking leading questions of Gatov and Kent.

Fry: You sat on the stage with other Democrats in the state?

Lynch: That's right--very interesting.

Fry: In this 1950 campaign Nixon was running against Helen Gahagan Douglas for U.S. Senate and Jimmy Roosevelt was running against Earl Warren for governor.

Lynch: Yes. I remember Roosevelt going down Montgomery Street. I think he had a truck, and he was speaking off the truck.

Fry: Yes, a big bus.

Lynch: It was a big bus with an observation platform on the back like a train.

Fry: He went all over the state with that, I understand. Were you aware of any strategy sessions or discussions about how much Pat Brown should align himself with the other Democrats running?

Lynch: No. I'm aware that there were such discussions, but I wasn't a party to them. I know that Pat and Jimmy Roosevelt were--I'd call him fairly close to each other, close friends.

Fry: But they stayed pretty far apart in this election.

Lynch: Yes, well, you always do. If you're running for attorney general, you have little in common in what you have to say to people about government. As you remarked earlier, you're in an office that's truly nonpartisan. The governor has his problems running the state, the attorney general has his problems being the lawyer for the state, and they are not the same.

The Earl Warren-Pat Brown Ad: "Our Choice"

Fry: Some ads appeared in 1950, and possibly in 1946 also, in which Pat Brown was coupled with Earl Warren.

Lynch: Yes, ma'am.

Fry: Do you know about those?

Lynch: I know all about them. It was known that Earl Warren was not in favor of Shattuck. Warren was very friendly with Pat Brown, number one. They have always been good friends. Earl Warren, I think, was considered pretty much a maverick by the Republican party because, as I recall, he didn't like to take the regular political track of appointing the friends of friends.

Lynch: They always used to say Earl Warren had a great device when there was a vacancy. If he knew a vacancy was about to occur, he would make up his mind whom he wanted to appoint--and usually, I assume, a pretty good person, just [snap fingers] like that, before the people could get in their cars and race to Sacramento. His rejoinder to anybody that came to speak for somebody or for themselves was, "Oh, I'm terribly sorry. I wish I'd known about it before I appointed Joe Blow." He did it deliberately.

Warren did not like Shattuck. It was very obvious. And the proposal was made that an ad be put in the paper with Warren and Brown. It couldn't be Warren saying, "I endorse Pat Brown." So, it being known that Warren would not be adverse to such an advertisement coming out, it was put together on this basis.

They had two large, what we call, art shots--those are better than ordinary photographs--of Brown and Governor Warren. I think they were oval cutouts on a full-page ad. I think the title of the ad was "Our Choice" and "Republicans for Brown." Now, it didn't say Warren was for Brown, but they were for Warren and for Brown. They got five or six very prominent Republicans to sign the ad, and it was published simultaneously in the San Francisco Chronicle, and I think the L.A. Times and perhaps one of the Bees. It looked like Brown and Warren were mutally endorsing each other. It looked like one of the great political coups of all time. [laughter]

Fry: You put it in passive voice when you said, "It was considered." Who were the ones who really thought this up.

Lynch: I don't know. Those things sort of grow. I think the word got around. I wasn't in on the interior discussions of the party or the candidates.

Earl Warren's Relations with Nixon and Brown

Lynch: It was pretty well known that Warren liked Brown and that he didn't like Shattuck. Earl Warren could be a pretty tough customer if he didn't like somebody. He played second fiddle to no one in his dislike. For example, he hated Nixon and he let everybody know it.

Fry: How did he let everybody know it?

Lynch: It started on that famous railroad ride to the convention in 1952.

Oh, I don't think there's any doubt about it. I knew Earl Warren fairly well, and I never heard him say a kind word about Nixon. He had a way of just letting you know what he thought about somebody without being specific about it.

Fry: The reason I picked that up so quickly is that we all know that he didn't like Nixon, and yet it's very hard to get hard evidence. One reason is that Earl Warren died before we got to this point in our interview with him, and he wouldn't answer the question on it before then.

Lynch: He would have told you.

Fry: And the Nixon files are gone.

Lynch: But you knew it. I knew it. I've talked to him many a time.

Anyhow, like Topsy, the idea for the joint ad just grew. Someone, maybe Harry Lerner, got this idea, and it was submitted to Warren--would he object to it.

Fry: Oh, it was?

Lynch: I'm sure it was. You couldn't or wouldn't dare do it without his permission or his tacit permission. I'm sure he neither said yes or no.

Fry: Warren was fairly close to Pat Brown then, or was he?

Lynch: It was a personal relationship. They were friendly.

Fry: Were they hunting and fishing together yet?

Lynch: I don't think so. I think Warren looked on Pat as doing a great job as a district attorney, plus the fact he didn't like Shattuck. He liked our office. He liked the way Pat ran it.

Warren was a man, I would say, of likes and dislikes. I remember talking to him in Washington one night at a dinner, and everybody wondered what the two of us were doing over in the corner. He was talking about everybody in California, about whether he thought he was a good person or a bad person. He'd say, "I never liked him, Tom." He'd say something like that. He wouldn't be specific and say, "So-and-so did this or that." He said, "I never thought much of him," or "How is so-and-so doing? He's a fine person." What it was was a little get together. It's just that he wanted to hear from home because he'd been in Washington for so long.

Fry: Who do you remember as some of his most favored friends?

Lynch: People from the attorney general's office were close to him, Ted Westphal and Herb Wenig and the people in the DA's office, Dick Chamberlain. Most particularly, I'd say, of that group was Frank Coakley, who was always very close to him. I didn't know Warren's

Lynch: Republican friends. I knew them by name. At that time Wally Lynn, I think, was a friend of Warren's. But he did have a circle of friends with whom he was very close. He was a very independent man. Earl Warren got elected on his own.

Fry: What's the difference between the way Warren ran his campaigns and the way Pat Brown ran his?

Lynch: I think Warren was better known, and he had that personality to do that. He was a very imposing man, you know, the big, stalwart Norwegian. He had a big reputation, and he didn't need people. You know, some people do. And the Republicans had no place else to go. [laughter] All the Democrats are like the fellow who jumped on his horse and rode off in all directions.

Fry: Yes, there were sometimes almost more candidates than voters.

Lynch: They have a great--I don't know--capacity for self-destruction.

Fry: Were you fairly close to Pat Brown at this time?

Lynch: Oh, yes. I was still his chief assistant.

Fry: Were there a lot of people from his DA's office who were big in the election campaign?

Lynch: No, I'd say there were only two, possibly three, people who were directly in the office. There were people who had been associated with the office, like Marsh Leahy, but the ones in the office were Elkington, myself, and Eyman. There were others peripherally, yes. Jack Chow was always doing what he could in Chinatown, but on a broader base, no. There were people who did local things, like Al Del Carlo, with the labor people, and everybody, where he could fit in, did. But, the ones who really moved around, probably on a broader base, were Elkington and myself.

Fry: Did Pat ever have any ambivalence about becoming attorney general.

Lynch: [laughs] Never. I don't know how you use the word ambivalent. If you say he didn't want to be, he <u>did</u> want to be. If he was looking at it as a possibility of going on, upwards and upwards, I'd say definitely. He did not look upon it as, for instance, I did, as the height of a legal career. Pat was the politician and after all, he had gotten out of the law business when he went on for governor. He was looking toward being governor, I'm sure.

Fry: Did you and he talk about that as his attorney general campaign progressed?

Lynch: Yes, we can get into that later. It gets pretty complicated later. But, in 1958 Pat saw the great opportunity to step in there during the Knowland-Knight situation. That was the Rubicon, and he crossed it.

Fry: He also had Earl Warren's model of stepping from the attorney generalship into the governorship.

Lynch: Yes. Warren and Brown are the only ones that I know of, except one's trying it now [Evelle Younger]. But, I don't think he's going to make it.

Campaign Issues

Fry: Nineteen fifty was when the Korean War started, and you may remember that Nixon was basing a campaign against Helen Gahagan Douglas on anti-Communism issues.

Lynch: Yes, he had the famous pink sheet or some damn thing. That was because they had some literature which was on pink paper. The master of dirty pool.

Fry: From what I read, and what Shattuck was saying about Pat Brown, Pat was having to put up with some of that from Shattuck in 1950 too.

Lynch: Not the famous nepotism? One of his uncles was a lion hunter. Pat was a great one in any campaign for beating an opponent to the punch. Some remark was made later about Pat Casey working for one of the state departments. He worked there before he married Barbara, Pat's daughter, as far as I know. He's a very, very capable man and stands strictly on his own feet. But they used that against Pat. So, Pat throws in there, "Well, that's nothing. They forget about my uncle who is state lion hunter." [laughter] But, Pat was a great one for doing that.

Fry: I think Shattuck did accuse Pat Brown of having two illegal employees in his office.

Lynch: Oh yes, that was in the DA's office. That was Roger Garrety and Bill Mullins. Shattuck didn't accuse them. He just used the fact that a lady gadfly attorney named Molly Minudri who was always doing this sort of thing--she probably had an ax to grind; she always did--filed suit against Pat because of his employment of these two people. One was not eligible because allegedly he hadn't been admitted to the bar for over two years, which was a statutory, not a charter, requirement. I think the other one was residential. But the court threw out both of them.

Fry: Shattuck was saying that Pat Brown owed the city of San Francisco $8,000.

Lynch: No, he didn't owe the city a dime. That was what Minudri was claiming. But the case went up to the appellate court and they tossed it out.

Fry: The big issue apparently was tidelands oil, and Shattuck was saying that Pat Brown couldn't really represent the state on the tidelands oil question before the Supreme Court.

Lynch: Why?

Fry: Because he belonged to a political party, the Democratic party, which nationally had voted against California and Texas holding the tidelands.

Lynch: That's meaningless.

Fry: The papers said Pat was emphasizing very much his own positive accomplishments as district attorney and the necessity for definite programs on crime in the state, like the ones he had set up in San Francisco. But Shattuck was saying that Pat Brown is pink, that after all, he supported an appeal of Harry Bridges's deportation order in 1945, and that he, Brown, had been president of the National Lawyers Guild.

Lynch: Typical grist for any politician's mill. It doesn't mean a thing.

Fry: What was the personal reaction of you and of Pat Brown to these sorts of charges?

Lynch: I don't think we had much of a reaction to it. For instance, saying a person belonged to the lawyers guild is guilt by association, because as time went on some extreme left-wingers got in the guild and became known. It got on the attorney general's list. I know a lot of highly respected lawyers who belonged to it. I didn't because I didn't like the people who were starting it. That was personal.

Fry: Not political?

Lynch: I remember an organizational meeting in which George Davis, one of the organizers, got up and said, "We've got to take a position on the Mooney case." My idea was, if you're going to get into that sort of thing, the hell with it. I didn't want to be involved in a cause.

Actually, the lawyer's guild was a reaction to the San Francisco Bar Association, who at that time were notorious as being merely the alter ego of two of the big law firms. There was no place for the

Lynch: independent lawyer. The lawyer's guild, in its foundation, was supposed to have been an organization which would be able to represent the individual lawyer, as opposed to the big city, downtown, large-firm lawyer. And it was true at the time.

I remember Al Zirpoli was at this same meeting with me. He joined; I didn't. Anybody who would call Al Zirpoli pink ought to have their head examined, or Pat Brown. He doesn't even have the slightest tinge. But you have to say something. After all, your opponent is not going to go out and say you're the best man for the job. He wants to either put rumor or innuendo or fact out which will hurt the other candidate.

Fry: The only thing that I saw that made me think Pat might have been taking this "pink" charge seriously as a threat was that he appointed Emmett Daley suddenly as head of a new anti-sabotage program in the district attorney's office.

Lynch: No.

Fry: Do you remember that?

Lynch: I remember it very well.

Fry: In the middle of the campaign? Tell me about it.

Lynch: Emmett Daley's a lovely person. He used to sing with John McCormack, and he was a former FBI agent. He'd been in Salt Lake with the FBI.

Fry: Yes, and that was duly noted in the news release that was sent out by campaign headquarters.

Lynch: Yes. I'm not quite sure how Daley got out of the FBI, but anyway he did. I don't know where Pat met him, but you couldn't fit him in. I think it got a little personal. I wasn't about to put him in a courtroom because I didn't think that he had that type of legal training. So Pat thought up this thing of--you called it anti-sabotage. That's new to me.

Fry: That may have been a temporary thing.

Lynch: Anyway, Daley was supposed to be working on ascertaining the crime picture in San Francisco, and before that he had an undercover man working for him, which galled me, if you want to know the truth, [laughs] because I don't believe in having an undercover man working more than thirty days. He then begins to perpetuate himself by discovering things that everybody knows about, unless he's a department man who has been assigned to this and when his effectiveness is over you can take him out of it.

Lynch: As a matter of fact, this undercover fellow wound up in Canada. After Pat left and became attorney general, I got rid of him. I asked Pat if he would take Mr. Daley with him, which he did. He took him up to the AG's office, and I think he did the same thing.

Fry: Gave him an undercover man there?

Lynch: I don't know. He had two committees going. They were the governor's advisory committees, one in northern California and one in southern California. Emmett gathered them all together, and he would visit them regularly. [laughs] In other words, they'd have a meeting in L.A. These were all lay persons who were the advisors to the attorney general. I think it's a good idea. I didn't believe in it, but--

Fry: I gather that Daley was one of the people that wound up in the office that just didn't get along with other people.

Lynch: It wasn't a question of him not getting along. Emmett's a lovely person, but he just didn't fit. Let's put it that way. Emmett was not the type that you'd rush into a pretty tough situation where you had to go slam-banging in. He wasn't that type.

Lynch is Appointed San Francisco District Attorney

Fry: When Pat won the attorney generalship in 1950, were you then appointed as district attorney?

Lynch: Yes. The mayor appoints.

Fry: Was there any question about that?

Lynch: Yes--not as to whether I would be appointed. I was the logical choice, which I state, I think, factually. But, there was a question of just what kind of a district attorney I was going to be.

There were other candidates, one of whom, Marvin Lewis, came in to see me and said that he was the logical choice. He was a private attorney, and he offered to make me chief assistant if I would indicate to the mayor, Elmer Robinson, that I wasn't interested in being district attorney. We're still friends though.

Fry: Why did Lewis think you'd want to be number two man when you were up for number one.

Lynch: I don't know. It was his own ego. I had never run for public office. He had. He was a supervisor.

Fry: There were others, too, who were considered for San Francisco DA.

Lynch: I'm sure there were a lot of people who were talking to the mayor. I don't know who they were.

The mayor called me one night, and I went out to see him. I'm sure he wanted me to say I'd make certain concessions. I told him I wasn't interested. I said, "I can always go with Pat Brown. If you want to appoint me, fine. I'll do the job. I'll do it my way. Pat would like to have me go with him." I indicated--[laughs] I don't know whether it was true or not--that I could probably be chief assistant attorney general. So, he finally decided to appoint me, but with no strings attached.

Fry: You wanted to come in perfectly free to do your own thing.

Lynch: Absolutely, yes.

Fry: You felt that you really wouldn't have any trouble with Robinson.

Lynch: No, and I didn't have any trouble with him. We agreed on that. I told him frankly that I was not making any deals with anybody, not that he suggested any. He only asked me one thing, that if there was any trouble brewing that affected his departments, that I'd let him know. I said, "That's fine. I'll let you know." And I did, and that was all.

Fry: Why did you prefer district attorney to chief assistant attorney general?

Lynch: I wasn't offered chief assistant attorney general. I could have had a spot in the office. I assumed that it would be a pretty good spot. I'm not sure that Pat had even suggested it. The thought at the time was, "Pat is leaving. Tom, you're going to be district attorney. You should be. You're the logical person."

I'm a native San Franciscan. I knew the job. I loved it, and at that time--and perhaps still--it appealed to me as a lovely job for a lawyer who's been born and bred and raised in that. I looked forward to it. Then again, it wasn't a takeover. I had what I considered the staff that I wanted. I got rid of a couple.

I got Norman Elkington to come back, which was the big coup. He had left. He had a sort of a falling out with Pat over policy in the office. In fact, Pat and I had a little run-in about this. Norman was a fantastically good lawyer. He never lost a case. He got a piece of it. If it was first degree murder, they didn't get acquitted. The best they could hope was manslaughter.

Lynch: Norm was carrying on a law business, because the job in the DA's office didn't pay a hell of a lot of money. If Norman didn't have a case on that day, he'd finish work and he'd go uptown. It rubbed Pat the wrong way, and he made some remark about it. I remember one time we discussed it. I said, "Whatever you think, Pat. If Norman's here two hours a day, he's worth what we pay him." But, I think it got to Norman. So he decided, well, the hell with it. He'd go devote his time to his law business, which was pretty good at the time.

Fry: Yes, and I'm sure a lot more lucrative.

Lynch: Yes. So, when I was appointed [1951], I was ill at the time. I was home in bed. I don't know, there was something wrong with me. Pat wanted me to appoint his brother Frank, and I wouldn't do it. Elton Lawless wanted to be chief assistant, and I wouldn't appoint him chief assistant.

Fry: Was Lawless from Pat Brown's office?

Lynch: Yes, he was in the office. I think what Pat wanted to do was appoint Frank chief assistant, and Lawless chief of the superior court, which is the number two job. I wouldn't appoint either one of them.

Frank Brown and Elton Lawless came in and said if I didn't appoint them they were going to quit. I said, [laughs] "There's the door." And they did quit.

So then I got Elkington, whom I wanted, for chief assistant. I put Cecil Poole as chief of the superior court. Those are the people I wanted, because they worked for me. So that was that story.

Chairing the Jefferson-Jackson Day Dinner

Fry: After the 1950 campaign I think there was a campaign debt left over, and there was the Jefferson-Jackson Day dinner in 1951.

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Lynch: This is a book that everybody had signed that day. [reads aloud] "Tom Lynch, the great Jefferson-Jackson Day committee chairman; Ellie Heller." Yes, this is the one. They're all there--Bill Malone, Frank Chambers, Trudy Moore, Monroe Friedman (he was a judge).

Fry: You really got some signatures on it.

Lynch: I didn't get them. They just presented it to me. Leonard Dieden is a judge over there [Alameda County]. Gos Gaynor, George Perry. I don't know who did all this.

Fry: This was a book they presented to you for putting on the Jefferson-Jackson Day dinner?

Lynch: Yes. Oh, let's see--Jonathan Daniels.

Do you want to know how that dinner came about?

Fry: Yes. Were you made head of it because you needed to develop your own political clout for your own upcoming district attorney election?

Lynch: Oh, I'm sure it was. We were sitting having lunch at the Palace Hotel--Ellie Heller, Pat Brown, Cyril Magnin, and two or three others whose names I've forgotten now. The subject came up as to the Jefferson-Jackson dinner and who was to be chairman. Ellie Heller was pretty much the--well, she was the big lady in the Democratic party, let's put it that way. And of course, the Hellers were very great financial supporters.

Ellie said, "There's only one person to be chairman of that dinner," and Pat smiled very benevolently. [laughter] She said, "That's Tom," and I thought he was going to fall out of the chair. I damn near did. So that was my first big thrust into politics. I was the chairman of the dinner.

Fry: What was Ellie Heller's reason?

Lynch: She thought, just as you indicated a lttle earlier, that it was time to get me launched into the--I never worked my way through the chairs in the Democratic party. Ellie's idea was to just, bing, thrust me right in there. I guess she felt that, outside of some of the old-timers who might feel that they should be honored, that there wouldn't be too much objection to it.

Fry: After that, were you more a part of the Democratic party?

Lynch: No. I never have been what is called--for want of a better term--a political animal.

Fry: In a party sense?

Lynch: That's right, yes. I'd never been, for instance, on the county committee.

Fry: This was when people were trying to get Stevenson to say that he would run, and nobody quite knew who would be up for president for the Democrats in 1952. I wondered if you got involved at all in the presidential race.

Lunch: I don't recall, no.

Fry: It was also the time when the CDC [California Democratic Council] was just beginning. Nobody knew yet that it was going to become the CDC

Lynch: That's when Cranston and his friends were starting. It was different then.

Fry: Yes, and George Miller, Jr.

Lynch: You know the reason for it? The reason is the Democratic State Central Committee itself is not supposed to be endorsing candidates for a primary. This was a device, really, to do that, just like the Republican Assembly. I think it was used by some of the people. They eventually got control of CDC. They saw the opening, like in those days they were seeing in so many things. This may have been what happened to the National Lawyers Guild at the time. The people got in and took control of the apparatus. It was there for the taking, and they knew how to take it and took it.

Fry: Someone told me that these Jefferson-Jackson Day dinners were the major fundraising device.

Lynch: They were, yes. They were cheap at the time because, I think, the maximum was $100. [laughs] I got an invitation today to go to a dinner in Los Angeles to vote for the Jarvis-Gann property tax reform initiative, $250 a person. There was a dinner the other night for Burt Pines, $250 a person.

Fry: That's inflation. This was still before the huge, huge bills for getting elected caused by television time.

Lynch: That's right, no question about it. Mostly you were a circuit-rider in the earlier days. You <u>were</u> the campaign. Now it's everybody else; it's the media and--

Fry: You talked about Ellie Heller as this kind of power in the Democratic party. What was Bill Malone?

Lynch: He was too. But, Bill Malone was active for a long, long time, back in the Roosevelt days. So was Ellie. Bill was a promoter. He was a man that they went to see about appointments, and, in the best sense, an old-time political boss. Ellie was not. Ellie was a very highly respected member of the Democratic party, and a very wealthy one who contributed her ideas and her money.

Fry: Yes, several people have mentioned to me that you could always count on the Hellers. If they backed you, you could always count on them for a donation.

Lynch: A substantial one, because you'd get one from Ed and one from Ellie and one from the daughter and one from the son.

Fry: So you multiply by four.

Lynch: I think that's what Ed Pauley did. You'd get a donation from Ed Pauley (it was limited) and you'd get one from Mrs. Pauley and, if more money was needed, perhaps from their son. That's done all the time.

Fry: What difference did having been chairman of the dinner make in your political life?

Lynch: It introduced me--number one--in reality to everybody in the Democratic party in San Francisco and the Bay Area, as a person who carried some weight with the bigwigs of the party. Everybody knew that it must have been Pat Brown and Ellie Heller and Malone and all the rest of them that saw to it that I was the chairman. It gave you recognition.

Fry: In what way did it make it easier for you, in your campaign? In getting people to work? In getting money?

Lynch: Getting money, but I never did get a lot of money in those days. I didn't need it. In fact, one year I think we gave it all back.

Fry: When you didn't have any opposition?

Lynch: Yes. We gave most of it back. We did set up an office, but after we paid things like rent and stationery, we stopped taking money. I think that we wound up with a total of $8,000 and quit trying to raise money.

Pat Brown: Thoughts on the U.S. Senate

Fry: Did Pat want to be head of that dinner?

Lynch: I don't know that. I think anybody would have liked to have been the chairman of the dinner.

Fry: I guess that would have been in your head at that time, the possibility that Pat might try for governor, even in '54.

Lynch: He did.

Fry: He didn't run. He ran for attorney general. Dick Graves ran for governor in 1954, but I think Pat must have thought about it.

Lynch: When did Pat first run?

Fry: He first ran for governor in '58. That was when he ran and made it. Fifty-four was the first big CDC endorsing convention.

Lynch: I don't know that when Pat first became attorney general he was thinking of governor. I think he thought of a lot of things. I can't speak for him, of course. I'm only telling my own thoughts. I think he would like to have been governor, but I think he would rather have been U.S. Senator. He talked about it many times.

Fry: He could have run for the Senate in '52, couldn't he? It would have been two years after he became attorney general. Is that too outlandish a thought?

Lynch: I don't know whether he was thinking of it then. I knew later he thought of it. I think instead of running the third time for governor, in 1966, he would like to have been U.S. Senator, very much so.

Here we are here. [going through papers] Knowland ran for U.S. Senate in--

Fry: Knowland ran in '52, and won both party nominations in the primary. So Brown could have run against Knowland, but that was--

Lynch: That was premature.

Fry: Kuchel's seat was up again in 1954.

Lynch: I'm trying to think--Kuchel was mad at Pat. I talked to Tom back in Washington one time. He was mad at Pat for something political. I've forgotten what it was.

Fry: Well, that makes more sense because they were in separate parties.

Lynch: Except that Kuchel was a lot like Warren in his political feelings. Certainly being of the opposite party was not a personal thing with Kuchel.

Fry: In 1954, Yorty wound up running for the Senate against Kuchel, and Graves was running against Knight for governor. Then you had Howser, again running against Pat Brown.

So in that campaign Pat had the choice. He could have run for governor, because the Democrats were pretty desperate, as I understand it, to get somebody in there to run against Knight. Graves, who was finally selected to run against Knight, had to change his registration quickly from Republican to Democrat, or had just done it several months before.

Lynch: In those days I was pretty busy with my own affairs. I'd sort of gotten away from state politics. As DA, I was the leading office-holder in the city who was a Democrat, because the mayors here since time immemorial have been Republicans, up till the time of Jack Shelley who took office in 1964.

Lynch: I remember I was back in Washington, talking to Bobby Kennedy, and he wanted me to come out for Jack Shelley. He said, "We need a Democratic mayor in San Francisco."

I said, [laughs] "Well, what for? There hasn't been one in your lifetime."

He said, "What do you mean by that?"

I said, "The last Democratic mayor was James D. Phelan, who took office in 1897. It doesn't mean anything in San Francisco whether you're a Democrat or a Republican." You know, the Easterners are instilled with the party line.

I tried as hard as I could to preserve the--everybody did around here--the nonpartisanship of the DA's office. You didn't run as a Democrat. Now that's all gone.

Brown is Re-elected Attorney General, 1954

Fry: The '54 campaign was interesting because it was the first time you had party designations on the ballot. Candidates could still cross-file, but they had to put their party by their name.

Lynch: That exposed a lot of people. [laughter]

Fry: Were you a part of that campaign? This was the 1954 primary election when Pat Brown ran and won both the Republican and Democratic nominations for attorney general.

Lynch: Only, as before, I wasn't out in the hustings. I was pretty much independent then. Pat has his own organization. I wasn't close to him professionally then because I was doing my own job. He was attorney general and I was DA. I was there, but I didn't play an important part at all. That was the time when people like Dutton--well, he hadn't come in yet, no.

Fry: He was to enter a couple years later. The people I found in this campaign were--

Lynch: Mostly southerners.

Fry: Pat Brown wrote a memo saying he wanted to spend 75 percent of his time down south.

Lynch: That's where the votes are, very much so.

Fry: Here is a memo to Edgar Hills from Pat Brown, May 7, 1954, which just ticks off, in their order of importance, the major techniques and plans to be used for the campaign. I wonder if this was what really happened. It's publicity, billboards, newspaper ads, radio talks, etc.

Lynch: No, Ed Hills was not a politician.

Fry: This is from Pat Brown. Pat says that he thinks it may be the only memo he'll write.

Lynch: [reads memo] Brown and Hills were very close friends, but they had a falling out, which still exists. It was over Tom Kuchel.

Fry: I thought it was over James L. Flournoy.

Lynch: That's later. Originally it was Kuchel. Ed Hills supported Kuchel, and it was officially on his slate.

This part about the billboards, that's true, that Louis Lurie did get most of those boards for me in my 1951 DA campaign.

Fry: What does that memo say?

Lynch: Pat wanted billboards showing. He said we should "call advertisers who might each give up one or two billboards during the last three weeks of the campaign." He's not stating that you should get them to give up all their billboards. The memo goes on. "This was done by Tom Lynch the District Attorney of San Francisco, and he was able to get the best billboard showing ever had in San Francisco. Louis Lurie assisted him very materially and if he or Max Sobel is contacted, I am sure we could get billboards in San Mateo, Santa Clara, and Alameda Counties where we need them very badly."

What do you want? Do you need a comment on this, a reaction of it?

Fry: I thought maybe it would spark a memory.

Lynch: I don't agree with some of the things, if that's what you're driving at.

Fry: Well, yes. I'd like to have that too.

Lynch: For instance, Pat talks about fifteen minute long radio talks. That will kill off anybody! Nobody is going to listen to a politican, unless it's the president or a person who's in a controversial situation, for fifteen minutes. Just an ordinary candidate, they won't listen, period.

Fry: I think Pat did have some long radio speeches.

Lynch: Even so, they're not productive. Radio spots are fine.

Fry: He did mention spots.

Lynch: Yes. Lawrence Harvey--that's the big Harvey family down there. Jack O'Neill is a very prominent man in the Valley who's in the cattle business, very wealthy and a big contributor.

Fry: He must have been interested in water.

Lynch: O'Neill? No, he was a rancher. He may have had farm interests. I don't know. [reads from Brown to Hills memo]

"If possible, direct mail to Republicans in Los Angeles, San Diego, and possibly Orange County, should be made. A letter should be addressed, 'To my Fellow Republican,' and it should be signed by Republican lawyers." That's, of course, the Warren deal.

"Anita Curry complains bitterly about not being able to get the speakers in San Francisco. I think that Jack Eyman, my brother Frank, and Al Del Carlo will take care of this, if contacted. Tom Martin has agreed to make a trip from Redding to Bakersfield... making speeches." Tom's a fine person, but he wasn't much of a speaker. "Howland has agreed to hit the Coast"--oh, these are Brown's own people working in the office--"from Eureka to Santa Barbara. McAteer has told me...he intends to visit both the Coast and the Interior to make sure that the ads are published in the papers."

"McLaughlin"--he worked for me--"has agreed to see the San Francisco office mail is answered." That's George McLaughlin.

Pat's getting funny in some of this now. He talks about sky writing. He said, "Bill O'Connor is the greatest living advocate of sky writing and I agree with my Chief Deputy." Bill was a nice guy, but-- He's dead and gone. He was married to Lady Ashley. "This is a personal project...O'Connor will take care of it in his usual style." O'Connor was a very handsome bon vivant. I don't think he did any work, but he was a lovely guy.

Fry: O'Connor must have been a great asset to Pat in the political campaigns.

Lynch: Yes. [continuing to read Brown memo]

"Anita Curry, John Cassidy, and Adrienne Sausset have arranged for my entire life from now until June 8." They were all secretaries. I don't know who John Cassidy was, but Anita Curry was a political secretary. Adrienne was his personal secretary. Pat is referring to his campaign itinerary here when he says, "PLEASE BE SURE THE ENEMY DOES NOT GET HOLD OF IT."

Lynch: I would say it's just a routine memorandum to Ed Hills. Is this an original, or is it your copy?

Fry: This is a xerox that we made from one of Brown's papers.

Lynch: Ed was the chairman. In every campaign you have chairmen (I've been one too) who are big names or well known, but they don't do the work. Harry Lerner was doing the work, and Anita Curry was doing the work. They would get these items in this Brown to Hills memo implemented. But, you must flatter your name chairman by keeping him advised of everything that's going on.

Fry: I find that that's one of the best things that comes out in the interviews. We find out who is really doing the work. You always have all these names on the masthead. For example, Pat always had a lot of former judges.

Lynch: Pat always had a very fine gentleman up in Sacramento, Peter Shields, who I think was a Republican. He was elderly, and he was a judge, and his name was high on the list. Pat would always have him to start off his campaigns.

Fry: They were called chairmen, right?

Lynch: Yes, and they were people who would feel very upset if they weren't named for these jobs.

Fry: Are you talking about John W. Preston and Isaac Pacht, for instance?

Lynch: No, they were Los Angeles lawyers. But, Judge Pacht would get very unhappy if you didn't name him to something.

Fry: Hugh McKevitt?

Lynch: Hugh McKevitt--if he's the same one--was very prominent in the Shrine here in San Francisco, a good name to have on your masthead.

Fry: They were co-chairmen for northern California in 1950.

Lynch: Neither one of those gentlemen took any active part in the political decisions being made. They did, however, exert the privilege of voicing their opinions if they disagreed with something that the candidate would do, sort of like a grandfather, very avuncular.

Fry: Back in the 1950 election the executive director was Melville Marx.

Lynch: That's Sonny Marx.

Fry: Who was a Valley grower.

Lynch: No, he's not.

Fry: They call him a Valley grower and a San Francisco businessman. [laughs] What was he really, in plain words?

Lynch: In plain words, he was a partner in a stockbrokerage firm. He owned Rio Farms--asparagus, the type of things they raised in the [Sacramento and San Joaquin River] Delta. There was something he used to send me every year. He's a very close friend of mine and a very lovely person, a very close friend of Pat's, a financial supporter, but again a good name, a fine name here in San Francisco. Everybody knows Sonny Marx. He's a Republican, incidentally. Or, I'm not sure, but non--I don't think he was a Democrat. Very wealthy man.

Fry: The treasurer was Parker Maddux again.

Lynch: Parker Maddux was treasurer because he was president of the San Francisco bank, and an old, old friend of Pat's.

Fry: Finance was Max Sobel, whose name occurs in almost every campaign.

Lynch: Max just had to get in the campaign. He'd be very unhappy if he was left out.

Fry: If I were running for district attorney or attorney general, I would have been wary about putting Max Sobel in the campaign, because I've read stuff in the papers about his being suspected of being a part of the Artie Samish machine. Samish was being discredited at this point. He was a liquor wholesaler.

Lynch: No, I don't think that was that important. Sobel wasn't a conspirator or schemer or anything like that. He got charged by the board of control one time. They made a big to-do out of it. In the old days if some church or some group was having a party, Sobel would furnish some of the liquor or sell it to them wholesale, and they'd get clobbered by the ABC [Alcoholic Beverage Control] for violating the rules, and fined for it. The firemen or the policemen or the Native Sons could always count on Max Sobel to donate some liquor for a picnic or to give it to them at cost, which is against the law. Liquor laws are man-made laws. You couldn't leave a Max out.

Fry: [laughs] He had to be in the big middle.

Lynch: Yes. He didn't make any political decisions. He liked to have his name on the masthead, and he was a very loyal person. I was very fond of Max.

Fry: He probably raised some money.

Lynch: Oh yes. He gave money.

Fry: Wasn't it Max Sobel who brought in $5,000 in liquor money once for Pat Brown from Samish sources that was a great embarrassment to Pat in one of the campaigns? Do you remember that? Pat loves to tell this story and laugh at himself about it. He had to come out and say, "I'm sorry. I didn't know about this. We've already given the money back."

Lynch: I don't remember that.

Fry: If you want to go on any more in the '54 campaign, the only main question I have there for you is why didn't Pat Brown run for governor?

Lynch: I don't know. I don't know why Graves ran. [laughter] But, I know this much, that obviously--now, my wife, Pat, got involved in the Graves campaign, and I'm sure that was at the request of Pat Brown, because I don't know anybody else who could've influenced her to do it. She's very independent. Maybe Pat Brown said something to me like, "Can you get Pat to be a sponsor for Graves, who has a luncheon?"

I asked her and she said, "Sure. Who's Graves?" [laughter] A lot of people said that, particularly on election day.

Frederick N. Howser and the Crime Commission

Fry: The results in the primary were that Pat Brown on the Democratic side of the primary got 1,400,000 votes, and Howser got 140,000 votes. I'm rounding these figures off. On the Republican side, Pat got 686,000, and Howser got 408,000.

Lynch: Howser was being blasted by everybody by June, 1954. Newspapers were really taking after him, and lots of accusations were being made that were pretty strong. I can't give you the chronology. When Howser was attorney general, Charles Hoy and Wiley H. Cadell, two of his men, got themselves into a lot of trouble. There was a lot of smelly stuff in San Mateo County with Giorgetti and with the then-sheriff, who had been in office for Lord knows how many years. There was more trouble in Alameda County, and I'm sure in L.A.

Fry: If Howser was being sidetracked even in 1950 by Earl Warren's crime commission, it makes you wonder how Howser managed to win the Republican primary in 1954? In '50, the crime commission had already issued its reports on his activities, so he had already gotten into trouble.

Lynch: Oh yes, he was good at it.

Fry: My question is, how could he have won the Republican primary in 1954? He had run in the primary in 1950 and lost to Shattuck. He didn't win in 1954 in the general election, but your party thought he was going to win.

Lynch: First of all, California was a Republican state in those days. The Republicans got the votes, or they got out the vote. This was just really becoming a Democratic state about that time. You had the traditional thing, the northerner and the southerner. A large percentage of the vote is south of the Tehachapis, and you had the traditionally Republican counties that would vote for any Republican rather than vote for a Democrat. You had Orange, Imperial, San Bernardino, and San Diego counties.

Fry: And Shattuck beat him, who was also a Republican.

Lynch: Yes, but at that time, the reason [sic] he hadn't been accused of trying to take over the gambling in the state.

Fry: So then Howser comes back and has the courage to run again in '54.

Lynch: It wasn't courage. He had to run really. He didn't have the courage not to run. He was a strange man. I got pretty friendly with him because he intrigued me.

Fry: What was he like?

Lynch: I would say he was a Hollywood character. You could typecast him in a movie as an old-time--I don't want to slander the man, but slippery would be the word. [laughs] He was slippery. He was very good looking, a very handsome man, and very outgoing and friendly. He'd give you the big to-do. "How are you, Tom? It's so good to see you." He knew I was trying to cut his throat, but he'd give me the big hello. He was a devious person.

You asked me this question, and I couldn't answer it, about why he would get himself involved in this stuff. There can only be two answers to someone doing that. One is that you're so stupid you think that this is going to get you places. Or two, you need the money. Well, he couldn't need the money. He'd been a DA in Los Angeles.

Getting into the other question, did Pat ever tell you about the time he embraced him in Los Angeles?

Fry: No.

Lynch: Pat went down to L.A., and he was thinking of running for attorney general. I don't know whether Howser was thinking of it at the time or not. If he did, he wasn't telling anybody. Pat went down and was making one of his first official visits [laughs] and he goes in to see Howser. This was when Howser was district attorney. They posed together for pictures and Pat describes Howser as one of the finest district attorneys in the nation.

Fry: Oh yes, that's in the newspaper files.

Lynch: Yes, and the quote was used in the campaign too. [laughter]

Fry: The story then came out that Pat Brown would model his district attorney's office on Howser's.

Lynch: Probably, yes.

Fry: The story was backtracked later, because I guess really Pat's model was more Alameda County.

Lynch: Right. I'd forgotten that up to now. Howser was the type of fellow--I'm sure he set it up. He knew he was going to run for attorney general. I think about a week later he announced his candidacy.

Fry: Did you have any part at all in the crime commission investigations?

Lynch: Officially, no.

Fry: I mean unofficially in helping the commission get leads.

Lynch: Yes, I did. I was very active in it.

Fry: Who did you work with on that?

Lynch: Warren Olney, Johnny Hanson--in particular.

Fry: They were the investigators.

Lynch: No, Warren Olney was the head, and John Hanson was the chief investigator.

I would say we worked very closely. Everything I got that was useful to them (mostly--I'll be frank--about Howser) I saw to it that they got, or information about hoodlums and gangsters around.

Fry: As I was reading the commission reports, I wondered if their information on the San Francisco scene came through you.

Lynch: Some of it. They probably had the information. We had often discussed it and checked over it. Lots of times you'll get information which doesn't check out. The information about Howser and that Wagon Wheel over in Albany, that all came from me, every bit of it.

Fry: The commission goes into that at great length in the report.

Lynch: They used my name in the report. They got all that from me. There were other things about the bookie operations, Cohen's operation, and the wire service, and cutting off the telephones. By the same token, I got information from the commission.

Fry: At this same time you were also interested in submitting bills to the legislature that related to law enforcement and criminal justice. The crime commission made certain recommendations for the legislature, and one of them was making it illegal for the telephone companies to have bookies' wire services on their lines. I wondered if you had also helped with that.

Lynch: Well, in this sense, that I was on the law and legislative committee of the district attorneys association. I wouldn't put in a bill individually as a district attorney. You always put it through your own committee, of which Frank Coakley was the chairman. I appeared in Sacramento on hearings relating to many of the bills, supporting them. This was principally to influence your own assemblymen and senators. I worked pretty closely with McAteer on those things.

Fry: Did you have a good senator and good assemblymen here that would help you? Or did you have some trouble with them?

Lynch: No, I don't say we had any trouble at all, because just being politically wise, it was more to their advantage not to be an opponent of mine, because I was a city-wide vote-getter, and they ran in districts. They needed my support more than I needed theirs. Those are the facts of life. Besides, when I first started off in Sacramento, you had people like Cap Weinberger who had a lot of class to them. He was a Republican. He stood up for bills that I remember we lost, but he was on my side. No, we didn't have any trouble.

Fry: Would this be the reform bill for the administration of liquor licenses that formed ABC? Do you remember that?

Lynch: No, I don't remember that bill.

Lynch Defeats George V. Curtis for San Francisco DA, 1951

Fry: Why don't we go into your first district attorney election campaign, in 1951, when you were able to run as an incumbent?

Lynch: The interesting thing about that was that the day I took office, there were billboards that appeared all over town. We used to call six sheets. You don't see them any more, but they used to use them for theatrical performances. They are about six feet tall. I haven't seen any of them in years, but they were legitimate. They weren't what you call snipes. They were put up by the advertising company. They said, "San Francisco needs a new district attorney. Vote for George Curtis."

Fry: That was the day after you were appointed?

Lynch: The day I took office, which was rather discouraging. So, then the question was, [laughs] "Who's George Curtis?"

Fry: Let me put in some dates here. When did you take office? Pat took office in January, 1951.

Lynch: That's when I came in as DA too, I'm sure. [shuffling of papers; apparent interruption of tape] I think Fred Trott sued me.

Fry: A lot of people had trouble with Fred Trott.

Lynch: He sued Ellie Heller and me and a fellow from Palo Alto. I can't think of his name. He runs the newspapers down the [Monterey] Peninsula.

Fry: Is this when Trott was chairman of the Democratic party?

Lynch: Yes. How the hell he ever got that, I'll never know.

Fry: That happened in 1950.

Lynch: I think I took office as DA the first of the year, in 1951.

Fry: You were going to have to run for office, because your scheduled election was in November, 1951. So, you hit the ground running.

Lynch: [laughs] I hit the ground running. It took me a little while to find out--I was told by my great political advisors to follow the cardinal rule, and that is never to mention your opponent and never to reply to anything he does. I did that for a while, and I finally got tired of it.

Lynch: Anyway, Curtis and I followed each other around town. That's about all it amounted to. You would almost time yourself to find out when he was going to be at a meeting. You have your scouts out, and so we wouldn't have a head-on confrontation. But, he began saying a lot of things that I didn't like.

I know what he did. He got ahold of the annual report of the attorney general's office, which lists the number of convictions, number of cases, and all the statistics. He used that to prove that we didn't run a very efficient office, because we only had a conviction rate of 79 percent, or 80 percent, and there were eight or ten other counties that had 90 percent and 100 percent. I think one of them was Alpine County, which only had one case, and they won it. [laughter] But, compared to L.A.--and the big counties with a big turnover, of course--we were right up there among the leaders.

So, I got mad at that, I remember. I took Curtis on one night at one of the big groups. We got his record out, and he had lost every case he had tried. He had twenty-five cases that previous year, and he had lost them all except one. That case involved a Chinese gentleman, and the reason Curtis didn't lose that one was that the fellow died during the trial. I threw that at him.

That was about the extent of the excitement in the campaign, to tell you the truth. Curtis put on what I would call a neighborhood campaign. He'd go into every little meeting, and his wife would stand outside giving out matches saying, "Please vote for my husband."

It wasn't much of a campaign. He didn't win a precinct. He was not a good speaker. He was a nice fellow. He was not a good lawyer, and he had no prior experience at all that would indicate any reason why he should be DA. He had no support, except from probably a little group here or there, and no newspapers and I don't think much money.

Fry: You both had name recognition, I guess.

Lynch: He didn't.

Fry: He had run previously.

Lynch: I think most people had forgotten that. We have a fellow here in town, Tom Spinosa, who's been running for years and years, and all I know about him is he usually wears a hat when he goes to a meeting. He's got all kinds of recognition, but he always comes in last. So, that was the end of that. I never had any opposition again.

Fry: It seems like one of the nice things about San Francisco's election is that they are on odd years like 1951, when the candidate does not have to compete against other countywide or statewide candidates for money.

Lynch: Yes, that's right. I'm sure that was done very carefully by the gentlemen who drew up the charter, who were the old school. We call it the "Brothers of the Perpetuation Society." It's a way of perpetuating yourself in office.

Fry: You can get the money then--

Lynch: And get out the votes.

Fry: As DA were you able to pretty much do everything the same as you had done when you worked for Pat Brown, or did you do some different things?

Lynch: I would say we did this much differently. We didn't concentrate as much on some of the social things that Pat Brown did. He was much better at that than I am, or I was. You showed me a booklet called, "Don't Be A Chump." Pat distributed things like that. I didn't go in for that sort of thing.

But, it got a lot more hectic when I was in there. I worked strictly at being a DA. But I got very interested in the statewide aspect of it, that is, the DAs' association.

Fry: Earl Warren used that association a lot as a political base.

Lynch: Yes. I guess we all did. I did. I did without actually using it. I knew every district attorney in the state. The reason for that is very simple. There are only two countywide officers in each county, particularly in a small county. There's the sheriff and the DA. The others are not important, the coroner or the assessor or the tax collector. But, the coroner doesn't go out making any friends [laughs]. Neither does the tax collector. The most vocal people are the sheriff and the DA. I think it's a political truism that a lot of people will ask sheriffs and DAs, "What about this guy?" When it comes to candidates for statewide office, people will ask somebody they think will know, and that will be the district attorney or the sheriff. I had all of them except one when I ran for attorney general in 1966. I knew them all, and they all knew me. They didn't know the other guy, except one fellow who was a close friend of my opponent, Spencer Williams.

Fry: I remember reading a note to Pat Brown, written during the '46 campaign, that if he would come out independently as an independent statewide candidate for attorney general that the district attorneys' association would back him. The condition was he had to get himself removed from this package deal. I guess he didn't, and so they didn't.

Lynch: They don't endorse as a body.

Fry: They were primarily Republicans apparently.

Lynch: Yes, they are. The DAs' association doesn't endorse as a body. They don't endorse, period.

Fry: What do they do?

Lynch: They individually will campaign for you, work for you. Jack Price was my chairman, up in Sacramento. John Williams, who's the DA of Orange County--and you know he's not a Democrat--he came out for me against my opponent. We did radio spots. He said, "My name is Williams, and I'm a Republican, and I'm voting for Tom Lynch for attorney general," period, and that was all.

But, the interesting thing about that is my opponent's name was Williams too!

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Lynch: Nineteen fifty-one was the only time I had competition for the DA's office. After that I ran successfully two or three more times without competition, and it wasn't too hard to run in those days because the filing fee was $30. Anybody with $30 who could go up there and sign his name and could find twenty sponsors could file. Sponsors weren't hard to find, because there were a bunch of them who always hung around the city hall waiting for somebody to come in and file for office. Maury Moscowitz was one of them. There were a couple of other fellows who used to wait up there around the city hall till some friend came in to file for office. They they'd go in and be one of the sponsors. If you ever look at a San Francisco voter's handbook, you'll notice the same sponsor [laughing] appears many times.

Anyhow, it was $30, and one time when I ran, I phoned home after the five o'clock closing and told my wife that nobody filed. She said, "Nobody would pay $30 for that lousy job." [laughter] That took most of the romance out of it.

Fry: So you really didn't have any hard campaigns, did you?

Lynch: No, we didn't have a hard campaign. We didn't bother to raise any money or put out any advertising. Maybe we spent a few dollars of our own, raised two or three hundred dollars and put out election cards, which--most of the things you do are for the benefit of your supporters. They don't do you any good. They're like bumper strips. You distribute 10,000 bumper strips in a town, and maybe fifty of them will get pasted on cars. But they look nice in the headquarters.

Lynch: We have some people we know who are collectors of them, not different varieties, but to see how many they can get. They collect by volume. Elections are the same. We call them throwaways.

Fry: So you didn't have many of those?

Lynch: We did one year. The first year is the only time. We had the billboards. After that, I don't think we spent more than a few hundred dollars.

Fry: Gee, what are we going to put in your oral history memoir to illustrate your campaign?

Lynch: Well, you were known; you knew a lot of people; a lot of people knew you. You got lots of publicity in the paper; you were news. So you had the name identification.

It absolutely amazed me--in the latter part of my attorney general's career (although I wasn't going to run, it wasn't known at the time) there was a poll that showed I had 61 percent name recognition, which is a very high figure, that six out of ten people recognized the name and associated it with attorney general without any campaign being run. In San Francisco, I'd say it was probably 80 percent.

You run into that even to this day. I don't look like everybody in town, so a lot of people recognize me. [laughs] And they love to do it.

V THE EARLY CAMPAIGNS FOR GOVERNOR: 1958 AND 1962

[Interview 3: May 24, 1978]##

Looking Towards the Governorship

Fry: You might want to just read this excerpt from page 181 of States in Crisis by James Reichley and react to it. It was written in 1964, when there wasn't a lot known about the 1958 Big Switch.*

Lynch: You always read between the lines in these things, and I always like to distinguish terms. [reads from book] "Efforts were made to persuade Attorney General Brown--" Who made the efforts? Then, "An ultimatum was served on the attorney general, giving him until September to make up his mind." Who served the ultimatum, and if he didn't agree, then what?

This is typical potboiler stuff they put out in political books, probably about the time that all of this happened. I don't think that's true. "Brown took off for Coconut Island." That belongs to Ed Pauley. Well, I believe that. I know he used to go over to Pauley's. I don't think Pauley owns any of the other Hawaiian Islands, just that one.

That doesn't impress me at all because I don't think anybody could serve an ultimatum on Pat. What's the alternative? "You run for governor or else." What's the "else"? He was attorney general.

Fry: Or he would stay attorney general. I think what this author means is that at that time, the governor's race looked pretty grim, because it looked like the Democrats were going to have to beat Goodie Knight, who had very good bipartisan support and also had labor.

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*Election campaign in which U.S. Senator William Knowland ran for governor of California and Governor Goodwin Knight ran for Senator. Both men were Republicans.

Lynch: I don't have any reaction to that. I didn't know any of these things. I was close to Pat Brown, but not to the political picture. You still won't find my name--

Fry: Tell me how early you think Pat had designs on the governorship. Just tell me all about what you did know.

Lynch: How early? The day he took office as district attorney--well, within a very short period. As DA he had an office at 550 Montgomery, and it was in the back of the building. It was an office building with one floor in the Scatena building. In Pat's office through a window you could just barely see part of the bridge or part of the Ferry Building. Pat looked out the window and said--this was early in his tenure as DA--"You know, Tom, I can almost see Sacramento from here."

I think he always wanted to be governor, once he got into political life. He started off running for the assembly as a Republican and then ran for DA and was defeated. When he became DA. it wasn't very long before he ran for attorney general.

As attorney general, Pat was very close to Earl Warren. They were very good personal friends. I noted in his notes that he indicated that he wouldn't run against Earl Warren. I believe that to be true. But I don't think he had any qualms about running against Goodie Knight or Bill Knowland.

Fry: I'd like to move you up into the sixties. As things began to jell after '52, when the Democrats really did begin to gather strength, what picture did you have of Brown as a candidate who might run for higher office? He did consider a U.S. Senatorship.

Lynch: I think he had always considered it. I think he considered that as the ultimate goal.

Fry: Above governor?

Lynch: Yes. Even after he was defeated as governor, I think he still had feelings that he might want to be U.S. Senator. He wanted to stay in political life, no question about that. He told me that often.

Fry: Do you think he's disappointed that he never ran for Senator?

Lynch: Not that he didn't run. I think he would have possibly liked to have been appointed, or he would like to have been appointed some kind of ambassador. I know that. He loved campaigning. He loved politics. Nobody ever loved it like Pat Brown did.

Fry: Why didn't Pat get an appointment under the Kennedy administration?

Lynch: I don't know. I don't think they were the most friendly people.

Fry: Why wasn't Kennedy friendly? Pat had headed up the delegation in 1960 here for Kennedy.

Lynch: Brown had headed up the delegation. Bob Kennedy and Jack Kennedy and the father all believed that Pat was 100 percent for Kennedy. Pat didn't control the delegation to that extent. He didn't lose control, he just gave them free reign, and so the vote was split. I think the Kennedys felt that if they would have gotten a landslide vote from California, that they would have gotten a landslide, period, without waiting to get down to Wyoming where they did land it. The vote wound up something like thirty-three to thirty-two, one way or the other. I forget which it was. I think the Kennedys always held that against Pat. I know that [Lawrence] O'Brien did.

Fry: For the 1958 elections specifically, when did you first know that Pat was going to run for the governorship as opposed to the Senatorship?

Lynch: I never knew that he was going to run for Senator. He told me one night up at the Fairmont Hotel. I just happened to run into him accidentally, and he got me off to one side. I think Knowland was making a speech there that night, if I'm not mistaken. That may not be true. But, Pat told me, "I'm going to run for governor," in just those words. I said, "Fine." [laughs] I couldn't fix the date. He wasn't a long-time candidate. Pat got in there when the mess started. I don't know whether it was firmly determined or, in any event, that Knowland was going to push Goodie Knight out of the way.

Fry: According to our chronology here, Brown announced for governor October 30, 1957, right after Knowland switched to the governor's race.

Lynch: Yes. I know the two things coincided pretty closely.

Fry: Where were you in this picture in '57, going into the race? Were you just socializing with Pat?

Lynch: I would say so, yes. Let's get our dates straight. You're talking about '58.

Fry: And late '57, when things were jelling.

Lynch: I was just minding my own shop.

Fry: It sounds like you didn't have any contact with Pat Brown.

Lynch: Oh, yes. I saw Brown then, a lot of him. We've always been very close personal friends, for many, many years. But politically, no.

Lynch: You'll notice running all through this list of events of the period were names of people who were in the campaign--John Ford and John Elliott and Elizabeth Snyder and Paul Ziffren. I don't think I knew any of those people, outside of George Miller. I knew him because he was in Sacramento, and we were personal friends. But I didn't know Ziffren at that time. I don't know who Esther Murray was. I didn't know John Elliott or John Ford.

Fry: We just jotted those names down in the chronology.

Lynch: Over here you have the IP [Independent Progressive Party] people.

I didn't know Bill Bonelli. I knew who he was.

I was a busy person at that time because I had a big office to run. Very frankly, I had no thought of getting into statewide politics. I never would have run for a statewide office. When I was appointed attorney general [in 1964], it was with the understanding that I would run for the office later, because Pat was pretty sure that I didn't want to run.

Fry: How did he know that?

Lynch: We had talked about it over the years. He would say, "Why don't you run for this? Why don't you run for that?" I would tell him, "I don't want to run a statewide campaign."

Fry: Did Pat want you to run for AG in 1958 and succeed him as attorney general when he ran for governor?

Lynch: No.

Fry: There were two Democratic candidates then, Robert McCarthy and Stanley Mosk. I guess it was Mosk who won. I didn't see your name mentioned, and you would have been a logical choice.

Lynch: No, I wouldn't have been a candidate because I was a northern Californian. At that time, for better or for worse, the idea was don't have a ticket made up of two northerners or two southerners, particularly two northerners.

Fry: I thought McCarthy was kind of the chosen one.

Lynch: I think he chose himself, with the aid of his father. His father was a very wealthy man, and he was very ambitious with his two sons, who were going to be state senators. And there they are now.

The Brown-Lynch Relationship

Fry: Back to this invisible relationship of yours and Pat's. Could you just give us a good picture of it? In other words, what did you do? Did the two families get together a lot? Did you and Pat just call each other a lot on the phone?

Lynch: My wife has always been close to Mrs. Brown. It was a family, social relationship. We called, and I'd take his kids down to the airport to meet Pat and Bernice when they were coming up from Mexico or some place. It's like a lot of people, for better or for worse. Most of the politicans you read aobut have close friends. Even Nixon had his Abplanalp, or whatever his name is, and [laughs] Bebe Rebozo and Murray Chotiner. See, our friendship goes back before Pat was in any political office.

Fry: And it sustained.

Lynch: Yes, and it hasn't changed. We live in different places. He's left and is in Los Angeles, and I've retired.

Fry: Did Pat often call you when he had some matter pressing on his mind?

Lynch: Yes, many times. He liked to have my opinion, just as an opinion, not that he necessarily would follow it, but he wanted to know what I was thinking.

Number one, I was always in law enforcement. I'm not an acknowledged far-out liberal, and Pat is pretty much of a liberal, but I think he always wanted to get my particular view so maybe he could reach a decision in between. He would call me two or three times a week, and we'd get together very often. We're very close and good friends. And he was still living in San Francisco, almost in the neighborhood. I'd see him many times. Lots of times he'd give me a ride to work, or we would have lunch. We had the same friends too.

Fry: What issues did he differ from you on? Where was there a difference between your advice and his action?

Lynch: A classic example is the Chessman case. He was torn very much by the Chessman case. In order for him to pardon Chessman it had to be approved by the Supreme Court, because Chessman was a previously convicted felon. The court voted it down, and Pat still went ahead and announced that he was going to pardon Chessman. I remember Pat told me that day--and this was also at the Fairmont Hotel, perhaps on the day the opinion was returned--he said, "The Supreme Court just turned down Chessman."

Lynch: I said, "Well, that's the ball game." That was my reaction because I'm a practical person. He didn't agree that that was the ball game. So, number one we didn't agree on the death penalty.

That disagreement continued--I mean just on technical matters or even on practical matters--when I became attorney general. I told you already that the first thing he told me after I became attorney general, or even before when he told me he was going to appoint me, was, "You and I may have to disagree on this. If you don't agree with me, I want you to disagree," which I promptly did.

Fry: What about other issues? What about water?

Lynch: [laughs] That was the disagreement--on the Colorado River.

Fry: Were you on opposite sides from him on that?

Lynch: No. I was on my side. Pat wanted to have his man Abbott Goldberg--he's now a judge in Sacramento. You will probably talk to him. He was the water lawyer in the governor's office. He was also deputy director of the Department of Water Resources. But Goldberg had prepared a brief that he wanted presented before the U.S. Senate. They had a brief for the hearings on the Colorado River, and we had ours. We faced a head-on collision. [Goldberg and Lynch]

Fry: At the hearing?

Lynch: No, earlier. I wouldn't accept Goldberg's brief, and they wouldn't accept mine. I just maintained my position that I was the lawyer, and that was that, and Goldberg could stay home. Pat just smiled [laughs]. When he came to that point, he said, "Well, that's it." That was the way he used to determine all these things.

Fry: What happened next?

Lynch: We went to Washington and presented the case and lost it.

Fry: You used your own brief.

Lynch: That's right. Oh, yes. I didn't take his. It was more a matter of principle than anything else.

Fry: This was when you presented it where?

Lynch: Before a Senate hearing on some bills that were pending to give California more of an advantage in the Colorado River than they were getting. For example, Arizona wanted to get credit for water that they'd put into the river and add that on to what they took off. We wanted to charge them for the waters that they were taking away from

Lynch: the flow of the river, for instance the Gila River. They had successfully dammed up the Gila River so none of it goes into the Colorado any more. We wanted to charge them for that. There was another river down there, the Ben Williams River. They were mainly technical things.

There were other matters involving his office and the Alcoholic Beverage Control. Rumors were getting around that they were being a little indiscreet, let's say.

Fry: Was this after Bonelli?

Lynch: Yes, long after Bonelli. The press got a hold of it, and so Pat immediately announced he was going to have me investigate it, which I think was a tremendous mistake. Pat shouldn't have announced it. He asked me to draft a report, so we did. We investigated, and we began bumping into things that, at the time, you hadn't even heard about. I said, "You didn't ask me for a testimonial; you asked me for an investigation." So, he fired them.

Fry: We're going to try to interview one or two people who were on the Alcoholic Beverage Control Board.

Lynch: These people are long gone.

Fry: I mean people who were on the first board after it had been taken out from under the Board of Equalization.

Lynch: [laughs] [George R.] Reilly was on it and he'd been on the Board of Equalization.

Fry: Did you have any trouble with him?

Lynch: No, I didn't have any trouble with him. I think he stayed pretty clear of me.

Fry: Speaking of the Alcoholic Beverage Control Board, I've been told that even after the reform, the board still is set up so that you can have a re-creation of the whole Bonelli scandal, since the licenses can still be bought at a very low price but re-sold at a very high price.

The First Gubernatorial Race: 1958

Campaign Supporters

Fry: This is a list of suggested names for a political dinner to be held very early, on January 8, 1957, in the University Club in Los Angeles. I don't know whether the dinner was ever held. I got this out of Pat Brown's papers. There are northern California names and there are southern California names. Does any of this help you recall the role of the particular people on the list?

Lynch: I couldn't tell you, really, by this list here. [reading from list] These are the standards--Killion, Bill Malone, Heller, Morris, Gilmore, Dieden, Friedman, Lynch, Tobriner, Silver, Shuman, Fred Dutton, Cranston, and Brown. Fred Dutton was on both lists. I think he was Pat's secretary, chief assistant in the attorney general's office.

Up above you have Warren Christopher, Fred Dutton, Matt Fleming, Green, McKinnon. Alex Pope [laughs]--we always used to call him Pope Alexander--is now an assessor in Los Angeles. Herman Selvin, a very prominent attorney. Albert E. Stevens, Jr.--in fact, his father is in here too. John Wyatt. I know all these people. These are suggestions. If there was a dinner, I don't know whether all those people were there or not.

Fry: Are those mainly organizers or mainly fund raisers, moneybags?

Lynch: Both. Killion's a fund raiser. He was president of American President Lines and also the chairman of the board of Metro-Goldwyn-Mayer. Ben Swig's a fund raiser; Sonny Marx is a fund raiser; Gilmore; Leonard Dieden, I guess he was; I wasn't; Matt Tobriner wasn't.

These are people Pat probably wanted advice from. It's a sort of a combination brain trust. Take a man like Warren Christopher. Pat wanted him for his knowledge of political things. Same with Matt Fleming. Same with Alex Pope, and he's always at fundraisers. He's a man whose advice you would want. I don't know that this dinner was ever held.

Fry: I don't either, but it's interesting that you do say these were the standard people.

Lynch: That's right. Those that Pat wanted to have--or that was probably put together by Max Sobel. Pat wouldn't put it together himself because he didn't know all these people. He probably asked me about some of them. I'd give him a long list of names.

Fry: At this phase of drawing up this list, it was still called suggested names.

Lynch: Any one of those people, when they put a list together, that's probably pretty close to the list that would come. There's only one name missing from that list, Gene McAteer. I think he was northern California chairman.

Lynch's Role in the Campaign

Fry: What was your position?

Lynch: None.

Fry: Did you have a public position at all in the campaign?

Lynch: No. I didn't hold any office.

Fry: What did you do? What was your main role in the campaign?

Lynch: I would meet with a lot of these people, talk to them. I couldn't tell you what I did day to day. I'll tell what I did on my next time around, in '61.

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Fry: You have a diary for '61, but not '58?

Lynch: No, it isn't really a diary. I just took notes once in a while, where I was going to make speeches. I was keeping track, really, of expenses.

Fry: Do you remember making speeches in '58? Or was it mainly personal, getting in touch with people?

Lynch: I'd say it was more on the inside, rather than the outside, very definitely, because I hadn't established myself as a well-known political figure, which I was later in '62, '61.

Fry: You were still district attorney in '62?

Lynch: Yes. I'd had a bellyful of it then. I was appointed AG in '64. I went out in '70, and took office in '64.

Fry: So, in '62, you were still district attorney.

Lynch: Yes, but I was pretty well known.

Fry: Just before I went out the door last time, you said that in '58 one of your jobs was to be a polite hatchet man for Pat Brown.

Lynch: That's right.

Fry: Why don't you explain that?

Lynch: On many things that he wanted to do, or if he wanted to change some decision that had been made, or if he didn't want to make ticklish decisions that might hurt somebody's feelings, he'd call me and ask me to do it. In the meantime he'd say, "Go see Tom Lynch about it." It was well known that I didn't rule on my own. Pat would convey to me that he'd gotten himself into a little crossfire, let's say, and he wanted to extricate himself. He'd call me and tell me what he wanted done. I would do it, and by that time it was so well known that I spoke for Pat--

Fry: People knew that when you spoke it was really Pat Brown speaking?

Lynch: They knew that there wasn't much use. I wasn't offering my own free hand opinion. I had talked to Pat, or I knew exactly what he wanted done. That came up more than once.

Fry: Were you a go between between Pat Brown and the Democratic party?

Lynch: No.

Fry: What about CDC relations?

Lynch: No relation with them whatsoever.

Fry: So, these were people that Pat, in his sort of hail-fellow-well-met--

Lynch: No, I think he was in sympathy with them, but he liked to have friends on the other side too. See, he could play that. I couldn't do that. I didn't meet with the CDC at all, period. It was no problem with Pat. He'd agree wholeheartedly with the CDC, and he did.

Still, I had no disagreement with Pat on what he thought about differently. He had his thoughts, and I had mine. We didn't get mad about it or have any fights about it. He knew exactly where I stood, and I had a pretty good idea where he stood on these things, and it wasn't always the same.

Fry: Can you think of an example of having to go and speak to someone for Pat Brown?

Lynch: No, I can't, but I can think of the question of appointing somebody to be on a committee, where maybe Pat had committed himself and told me about it. I would say, "You can't have that guy on the committee. He's this, that, and the other thing." Because of my background I knew something about the guy. I would say, "He's connected with so-and-so," or "I wouldn't be able to trust him."

The Big Switch

Fry: What difference did it make to Pat when the Big Switch occurred on the Republican side and Pat's opponent became Knowland instead of Knight?

Lynch: He saw a big opening, and like a good football player, he went through the hole!

Fry: You don't remember the particular day when the news came out, do you? Did everybody suspect this would happen?

Lynch: Everybody knew it was brewing because there was a big push to try to get Goodie Knight to run for Senator. The Democrats had a hard time, and I think the Republicans did too, understanding why a man who was as powerful as Knowland was in the Senate, particularly in foreign relations--and of course he always had been an isolationist--they couldn't understand why anybody in his right mind would give up that job to take on the much harder job of being governor of California.

Fry: What was the going theory?

Lynch: He was a very strange man, very strange.

Fry: He saw being governor as a higher position?

Lynch: Well, obviously yes.

Fry: You just told me Pat Brown saw Senator as sort of the ultimate?

Lynch: I would agree with Pat that that's the ultimate, although Nixon did the same thing as Knight. He ran for governor after being Senator. It occurred to me that possibly, having a newspaper, maybe Knowland thought it would be to the good of the newspaper to be governor of California. But as I say, he was a very unusual man.

When I went to a dinner honoring Frank Coakley, who was retiring as district attorney of Alameda County, I was introduced by Knowland and I never got such an introduction in my life. I thought I was the greatest district attorney since Tom Dewey.

Fry: From Knowland?

Lynch: From Knowland, yes. "My good friend, Tom Lynch."

Fry: In the primary, the polls showed Pat Brown ahead about two to one against Knowland all through the primary.

Lynch: He didn't run against Knowland in the primaries.

Fry: But, in the polls.

Lynch: I don't remember that, but I could easily understand it because Pat was an appealing person. He was very well known in politics. Knowland was, as I say, a very unusual man. He was not an appealing figure. He was a regular bull in a china shop. You got the impression that whatever Bill Knowland wanted, Bill Knowland thought he was going to get, just because he wanted it. I don't think that appealed to people.

I think a lot of people shook their heads, because I know I did. Why would a man give up a U.S. Senatorship, which he obviously had as long as he wanted to keep it, unless some rip-roaring Democrat came along? At that time, isolationism and Taft and all those things were pretty popular. That was before Adlai Stevenson and some of the others were beginning to come to the fore, or just about that time were showing up. I don't think Knowland had much of a campaign.

Fry: His wife did a lot. But, it's true that Knowland had relatively few days to campaign.

Lynch: Yes. Did you ever know him?

Fry: Yes.

Lynch: Pat Brown's a very warm person. People like him whether they politically favor him or not. He had lots of Republican friends, and he's kept his friends. I don't think Knowland had very many. I'm sure he didn't.

Fry: There was a Republicans for Brown--Charles Lorrey in Los Angeles, and in San Diego. It included the father of the chairman of the county Republican central committee, and it included Knight's '54 campaign manager, E.B. Hurley.

In southern California in the primary, 200,000 Republicans had voted for Pat Brown apparently. I got all this out of the San Diego papers. Pat Brown's lead over Bill Knowland increased from 662,000, which was in the primary, to 1,029,166. So, in the general election Brown almost doubled his lead.

Lynch: I had very little to do with it. See, my running here in San Francisco was a joke, because first of all, I was born here. I'm Irish. I could go to any political meeting and I knew half the people there, or they knew me, or they knew my relatives. So, essentially it was a joke. My opponent the first time I ran, George V. Curtis, didn't win his own precinct. He had no business being in the race. After that I was not even opposed. So, I used to go around and greet my friends at political meetings. I wasn't used to this hard-knocks politics, which then, you know, really began. It's a tough game.

Fry: Did you have any particular awareness of the effect of the three controversial propositions in this campaign, Propositions 16, 17 and 18? Eighteen was the right-to-work proposition, which was Bill Knowland's main issue. Seventeen was a 1 percent reduction in the sales tax, which implemented an increase in corporate taxes and maybe at the top end of the income scale. That one pulled a lot of fire from the large corporations and utilities. Then there was Proposition 16, which was to repeal the tax exemption of parochial schools.

Lynch: I know that these propositions were important at the time, but I can't go back now--

Fry: You didn't have anything to do with those then?

Lynch: No.

A Critique of Crime Statistics

Fry: There were quite a few attacks against Pat Brown's attorney generalship. The Republican press printed that crime had increased tremendously.

Lynch: I wouldn't be surprised. It increases every day.

Fry: Did you, as a fellow law-enforcement officer, deal with that and try to defend his record as attorney general?

Lynch: I probably did. I don't recall anything specific about it. Of course, at that time I was district attorney and had established myself. And without holding office I was probably, along with the L.A. DA, one of the leaders in the DA's association. And Pat had been a district attorney. I didn't make many out-of-town speeches but, if the occasion arose, I'm sure we had something to say.

That's one they dig up all the time. Sure, crime's on the increase. It increases every day. This house below here has been burglarized twice in the last few weeks.

Fry: There were a lot of statistics thrown around in this campaign too.

Lynch: I don't believe in statistics because--and it's a long story--those statistics are not accurate. And I know. None of them are.

Fry: At first they said the crime rate increased 77 percent. They said, "Why doesn't Brown have Bonelli returned from Mexico?"

Lynch: There's an answer to that question. Mexico wouldn't give him over. [laughs]

Fry: You mean Pat's political pull in Mexico [laughs] was somewhat lacking.

Lynch: First of all, Bonelli was not extraditable. Number two, the only other way to get him was by Mexican extradition, which means they throw him over the border and then we grab him quick before he can hop back. Bonelli's offense was not an extraditable offense.

Fry: Then there was this fight over the crime figures, in which even J. Edgar Hoover got involved.

Lynch: The reason for that is that the so-called standard by which everything is--the figures put out by the Federal Bureau of Investigation are the figures that are supplied to them. Those figures are in comparison to other places. I know very well that some sheriff down in lower Louisiana is not going to send in figures that make him look bad. When he gets some guy that committed about twenty-five robberies, he's going to put in that he solved twenty-five robberies. Actually he only caught one robber. Those figures have been challenged all along. The FBI only can report what's given to them. Much more accurate figures are here in the state of California.

Now, I ran into that. My opponent said that I didn't have a good record because there were five counties in the state that had a much better record than we did. Well, of course they did. They only had two felonies and they convicted both of them--I think mainly because the defendants were two Indians who didn't have a chance. So, they had a 100 percent record. But Los Angeles and San Diego and Sacramento ran the usual 80, 81, 82 percent, which they'll run forever because that's the norm that you would achieve. You can't go on those figures.

Fry: As I went through the various editorials on this issue, the percentage came down. At one point Hoover said it wasn't true that the FBI had reported a 35 percent crime increase. Now, that's already down from a 77 percent increase. Hoover said that really it was only a 12.9 percent increase in California and that Pat Brown had misquoted him [laughs].

Lynch: That's the old story, you know, that figures don't lie, but liars can figure. Or, as Chief Gaffey once said, "I must have misquoted myself."

Fry: Do you remember any specific stories or anecdotes about that campaign?

Lynch: No, I really don't. I wasn't very active in it. I was sort of sitting on the sidelines. I was very interested in it all, but it was beyond me.

Fry: I thought that we would handle the 1960 presidential campaign separately. You were in on that, weren't you?

Lynch: Yes, I was.

Fry: That's going to be intriguing, judging from your grin.

Richard Nixon vs. Pat Brown, 1962

Staff Changes

Fry: I thought today we'd go on with 1962 as the second successful governor's race for Pat Brown. You say you had more to do with that?

Lynch: I was very active on the inside, and I made a lot of appearances representing the governor at different places. As far as I know, it was a much better organized campaign. It appeared to be a much tougher campaign because, come what may, Nixon was a formidable opponent in those days.

Fry: He had just barely been defeated in 1960, but not in California. He had won in California.

Lynch: The complexion of the campaign was different, just because of the people involved. They were completely different camps and, I would say, a different level than in 1958. The lists you showed me from that campaign were professional politicians and well-wishers. I don't say that critically. These were people very much concerned with Pat Brown's success, but they had no political savvy whatsoever. Look at the names. Max Sobel is a lovely person, but he's a liquor dealer. He loved Pat Brown, but he didn't know anything about politics.

Fry: But, they came up with money, and that's important.

Lynch: No, as far as I know, the boards of strategy. It changed in 1962. You had a completely different crew.

Fry: Who was it in '62? Here are some things I got from the letterhead, but maybe those aren't the people you're talking about. I just collected a bunch of names.

Lynch: No, they're not. No. Tom Saunders was a professional public relations man. Lerner's a pro. Ringer was pretty much that. Mesple was. He was an employee. Bradley was a pro. Dan Kimball was a figurehead. Bill Roth, Warren Christopher, Ellie Heller, Elizabeth Gatov.

Fry: Gatov returned from Washington to help with this campaign. She was treasurer.

Lynch: That's just a couple. [looks through papers] These are the new people. Joe Houghteling--do you know him?

Fry: I've seen his name. No, I don't know him.

Lynch: Hale Championwas also in there. Did you ever get to talk to him?

Fry: Yes, we've had a couple of interviews.

Lynch: Are you into the Watts riot yet?

Fry: Not yet.

Lynch: Oh, he'll curl your hair on that one.

I didn't keep a diary. [turns more pages] These names are an example of people who were not, let's say, terribly visible before. Then you had the people like Bradley and Lerner, with four years experience--particularly Lerner, who'd been involved in every campaign every year, whether it was for propositions or for candidates.

Fry: What were you in the campaign?

Lynch: I think I was northern chairman. Whatever it was, it was on the staff. I was just sort of an hourly worker, working for Pat Brown, an unsalaried one.

Fry: Eugene Wyman came on the scene the year before, via an appointment from Pat Brown to the Southern California Democratic Committee. Do you know anything about that?

Lynch: I don't know anything about that. I know that Gene Wyman was very active and was a terrific fund raiser. We had Ed Pauley, Gene Kline of the Music Corporation of America, and Lew Wasserman from Universal Pictures.

Fry: Were these fund raisers or hard workers?

Lynch: No, they were fund raisers. They're all very wealthy men. They gave money, put on dinners of their own, entertained people. For example, a man like Wasserman would give a dinner in his own private home and invite a hundred people to have dinner with Pat Brown. Those hundred people were probably worth $1,000,000 each. There are many others. I don't mean to leave them out, but these are the ones that just come to mind--Gene Wyman, Warschaw, Kline, Nat Dumont. He was very close to Pat.

Fry: Howard Ahmanson?

Lynch: I don't know. He was not an active mover around, not like Kline and Wasserman and Wyman. Wyman's dead. But those people were very prominent in Los Angeles financial and social circles, particularly in the Jewish community.

Fry: I have a note here that came from the book Ronnie and Jessie* that Howard Ahmanson was a liberal Republican who paid Unruh's annual $10,000 salary to head up the southern California campaign back in 1958, and he owned Home Savings and Loan and National American Life Insurance.

Lynch: I know that he does own those things, but I don't know about the Unruh connection.

Plans for a Campaign Debate Abandoned

Fry: Don Bradley and Hale Champion didn't get along in '66 because they saw the campaign differently. How did they get along in this campaign?

Lynch: Well, a meeting is not to sit down and shake hands with each other and admire each other. It's to throw ideas out on the table. I don't recall ever going to a meeting where there wasn't a debate, and pretty hard-knocking. I can remember a hell of a fight over whether Pat Brown should debate Nixon. I damn near fell through the floor when I found out about it, because I thought it was a stupid thing to do.

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Fry: I guess Warren Christopher was having kind of a hard time, wasn't he?

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*Lou Cannon, Ronnie and Jesse, A Political Odyssey (Garden City, New York: Doubleday & Company, 1969).

Lynch: A terrible time. What happened was we went to a meeting in Sacramento, and there were the usual present. I know that Bradley was there. I know that Roth was there. I'm sure Warren was there. Brown was there. There were several others. In the course of just kicking things around, somebody mentioned the debate. I just looked up and said, "What debate?"

He said, "The debate with Nixon."

There was the usual volley of obscene remarks. Then I said, "Who the hell agreed to that?" Everybody looked kind of--not everybody, but some of the people looked kind of embarrassed. I expressed my opinion. I thought it was not a smart thing to do. I thought that Bradley and Brown were being a little coy, and maybe Warren and somebody else, nobody I could name, but probably two or three others--were trying to get by this sneaky incident and thinking, "Let's get on to something else and get Lynch the hell out of here."

But, Brown had made a commitment. Somehow he made the commitment that he would debate Nixon. Then they appointed--and I was dead against it--two men to negotiate the terms of the debate: Bob Finch to represent Nixon and Warren Christopher to represent Brown. Then it started to get hilarious. I was using what needle I had to try and get out of the thing. I know I had people on my side. Of course, both Christopher and Finch are very honorable people.

Fry: Did they know that it was not exactly an enthusiastic idea on Brown's part?

Lynch: I don't know. I think it was an enthusiastic idea on Brown's part, because I think Pat felt he was David and he could slay Goliath. But I'm not sure that Warren Christopher supported it. He was a very quiet fellow, and he would always sort of just sit back and listen, a very smart man. I'm not sure that Bob Finch did either. I don't think he was terribly enthusiastic.

What finally happened was it got down to where the final terms were presented, and whatever they were, both Christopher and Finch agreed upon them. This is in about the last week to ten days. Then Finch came back to Christopher and said he was terribly upset because he, Finch, had presented the terms upon which he and Christopher had agreed--they both had carte blanche; as you know, if you appoint somebody to represent you, they go ahead and make an agreement--and Nixon suddenly rose up and said, "Nobody's going to dictate to me. I'll make my own terms."

One of the things that Finch and Christopher were arguing about was that Nixon did not want Brown to be able to use notes in answering questions. Now that's a sucker's game, because Brown was the governor

Lynch: and he had to answer the questions. Nixon didn't have to. He wasn't running California. He had no questions to answer. So, the counterpart to that was that Nixon couldn't use makeup. [laughter] Well, Nixon blew his cork and said he wouldn't agree to anything.

Fry: There was a question too of whether the press could be admitted to ask the questions.

Lynch: That probably got into it too. But anyway, whatever it was, Nixon wouldn't agree. So, I don't know, we all jumped in. I jumped in, I know, and said, "Well, the hell with him. We won't debate." Apparently, by that time, Pat was getting a little leery of the debate because it was approaching graduation day [laughs]. Then the others who were against it in the first place, and probably those that were on the fence about it, all agreed that this was a grand opportunity to get out of it. And they did, period. That was the end of the debate.

An Election Eve Broadcast by Nixon

Lynch: There was an anti-climax to that. [laughs] This is what I think won the election. Nixon announced in the last week that he was going to make a statewide broadcast on Monday night. Tuesday was the election. So we were all in fear and trembling. [laughs] We wondered, "What's he going to say," because he already, I think, had tried to use the nepotism thing on Pat. Pat's son-in-law, Pat Casey, was working for the state--and had been working, I think, before Pat became governor--and was doing a top-flight job. Anybody would hire Pat Casey. And, of course, Pat's sister-in-law was his appointment secretary, May Layne Bonnell [Davis]. I don't think anybody's ever said a word against May Bonnell. All the newspapers--

Fry: Well, one. [laughs]

Lynch: Yes, but a lot of people came to her defense. She was doing a remarkable job. She was appointment secretary then, and I think he had an uncle or something [laughs] who had been a state lion hunter. [laughs] We thought Nixon was going to bring that guy into it too. You could <u>say</u> anything--and Nixon <u>would</u>--at the last minute. You couldn't rebut it, because he was paying for the time.

Fry: Yes, and this was zero hour.

Lynch: I remember, my wife and I saw the speech. I couldn't believe it! Did you see it?

Fry: I didn't see that, no. I read about it.

Lynch: It was the Checkers speech without the dog. He was sitting there in the living room, with [laughs] an American flag and a California flag, and the two girls and Pat with that poor grin on her face. He ranted on and on and on. I'll never forget some of the phrases he used. He said, "Pat Brown doesn't think I'm a good American," or something like that. "I think Pat Brown is a good American."

I said, "Honey, it's Checkers all over again." And he didn't even have a dog. It was unbelievable! Somebody could write a book or psychoanalyze it, because here was this man who's been at the height of power up to that time, and he's sitting there saying, "I, the great Nixon, have come out here and sacrificed myself for the good of the people of California [laughs], and that dirty old Pat Brown is running against me. He should've quit." He didn't say it, but he might as well have said it. It was terrible. We were just delighted. Well, that was our debate.

Fry: I read that he was trying to make a final refutation of the charges that had come out against him during the campaign, and how unfair they were.

Lynch: Yes, "Pat Brown doesn't think I'm a good American [laughter], but I think Pat Brown is a good American."

We used to say his favorite trick was with photographers. Just as the guy is going to shoot the picture, Nixon would point his finger at the other person. He always did that. He got to be pretty good at that.

Fry: The old Khrushchev pose.

Lynch: That was the end of the debates. That's the kind of thing that went on, but that's different from being out on the hustings.

Fry: I found this transcript in the Brown papers. It's called a discussion, and that was at the UPI editors' and publishers' convention, October 1, 1962, at the Fairmont Hotel. I noticed someone else in the office had written in "the Nixon debate."

Lynch: No, it really wasn't a debate because the debate was supposed to be on TV.

Fry: I think this was televised. At least, there were some polls taken after it, and the results were Nixon, 25 percent; Pat Brown, 16 percent. I suppose the remaining percentage of the people didn't hear the discussion.

Lynch: In the general polls Pat was down as low as 32 percent, I recall.

Lynch: This is typical Nixon. [referring to transcript of Nixon-Brown discussion] "I recall a little experience I had up in the little town of Susanville." You know, it's not a "little" experience. It's an experience he had in Susanville. But, it had to be in the "little" town of Susanville.

Fry: Is that the little old lady coming up to him?

Lynch: No, a little boy. [resumes reading] "A small boy walked up to me, looked at me for a moment and said, 'Are you the president?' I said, 'No, Mr. Kennedy is the President,'" and on and on.

Bumper Strips and Billboards

Fry: Do you recall the telethons? I think both sides had telethons in this campaign. I found a memo dated March 22, which was in the primaries still. It said, "You will recall that the governor suggested that we plant questions wherever possible at Nixon events." Then this is carried on later in the telethons [laughs], but I was impressed with the research that went on.

Lynch: That's standard political procedure. It's like a telephone poll. The minute they announce one, you put somebody on the phone and keep calling the number.

For instance, last night I really was amazed at the stupidity of the TV station. A fellow announced very unctuously that they were going to have a poll on Jarvis-Gann, yes or no. You know what's going to happen. The Jarvis-Gann people get on one phone--there were two different phones--and they'll just keep the phone busy all night. That's standard operating procedure. I'm not surprised when such things happen.

[tape off briefly]

Fry: Who were the real workers and who were the ones whose names were used.

Lynch: You always have to have names to head up your campaign, names that people can recognize like Dan Kimball, former secretary of the Navy. He was well known, and at that time he was with Aero-jet. You had other people like that, because if you put down there Tom Lynch and Joe Blow, people would say, "Who's he?"

Actually people don't even see that. It's good for a press release, and that the end of it.

Fry: Because the reporters would know, and the press.

Lynch: And you get your name in the paper. It gives the candidate exposure. "Governor Brown announced today that he has appointed Dan Kimball state chairman." Next week, "He announced that he appointed Tom Lynch co-chairman for nothern California." The next week, "He announced he appointed George Miller, Jr." [laughter]

Fry: In the Brown papers there were a lot of memos from Tom Saunders. Who was he?

Lynch: He's a professional.

Fry: The pro that kept things running in the headquarters?

Lynch: He's the pro. He's a hired hand. He kept the girls churning out the press releases, stuffing envelopes, sending out bumper strips.

The greatest thing in campaigns is to collect these bumper strips. You'd have, say, a half a million printed, and about four hundred of them show up on cars of the campaign workers. The rest of them you can find in the local headquarters, in the back room. There was one lady up in northern California that was famous. We always used to say she had the greatest collection of bumper strips of anybody in the United States.

At the headquarters bumper strips don't mean a thing. One person might come in on a Thursday and say, "Can I have a bumper strip?" The only way you can put on bumper strips is to get kids out on the street and get girls on the streetcorner or by a drive-in and have them say, "Can I put a strip on your car?" Probably one out of three people would say yes. But, people won't go down to headquarters and get one.

Fry: What's your idea of bumper strips on cars as an effective campaign technique?

Lynch: Zilch. I think the only visual aid that's any good at all is a big billboard. Anything else is nothing. You're going so fast.

I went up to Yuba County the other day, Downieville, and some people had little signs on fenceposts. If you try to read them, you're going to kill yourself. You'd wind up in a ditch. Maybe if you've got thousands of signs--[Ken] Maddy's got them, for one. When you get into a county and you see Mr. Hohenfetzer and Brown and Green and Blue and Pink and White and everybody else are running, you're just one among all the others hanging on telephone poles and whatnot.

If you have a good billboard, people recognize you. If you put a controversial billboard up on the Bay Bridge, right away it's in the newspapers and everything else. I remember Pat had one billboard without his glasses on. Everybody saw it. [laughs] They all complained about it.

Fry: How was the billboard war in this campaign, in '62? Nixon was still pretty much on his left-wing charges.

Lynch: I think it was a transient thing.

I think all election devices are pleasing to the candidate and very good for him, as well as anyone who sees his name or his picture, and are great for the campaign workers. But I don't think anyone else pays any attention to them.

Look what you've got right now. You've got two candidates running for attorney general, Burt Pines and Yvonne Burke. Sixty percent of the people never heard of them. I know the two of them think they're just working their head off to get elected, going from morning till night, because what they're doing is going to political gatherings.

Fry: What would you say was the most important and useful campaign tool for Pat Brown in '62. Now television was established by that time.

Lynch: Getting his name up before the public in news releases, guest appearances on TV stations. He did a lot of those, particularly in Los Angeles.

Fry: I've heard that part of the media which reaches the most people is television. Second is car radios, and the third is newspapers. I don't know whether that was true back in '62 or not.

Lynch: I would say so.

Fry: How was Pat as a television candidate? Did he really make an effort to be a good-appearing television candidate in '62? Or was he just plain Pat?

Lynch: He was always very serious, but then he was a serious man with a sense of humor. He always loved to get a gag in about himself. There's a famous crack he made. "Sometimes I think people don't appreciate my greatness." Then he laughs.

Fry: What was the reaction to that?

Lynch: People liked it. He'd get on the radio in Los Angeles. You've got so many radio stations and TV stations. They want to get their hands on him. So he'd get a tremendous exposure. I don't think I'd been to Los Angeles five times in my life before I was running for attorney general. I had been with Pat, but I wasn't visual; let's put it that way. But after a while I ended up pretty well known in southern California.

Fry: Because of the media.

Lynch: Yes. I'd be on a TV show every time I hit Los Angeles.

Fry: As attorney general?

Lynch: Yes, but this was year round.

Everybody knew who Pat Brown was, whether they liked him or disliked him. He wasn't C.C. Young or Frank Richardson.

Fry: He wasn't Richard Nixon either. But Nixon had good name recognition by this time. So, you had two very well recognized men.

To digress for a moment, what about Brown vs. [George] McLain in the 1960 presidential primary?

Lynch: There will always be McLains and their crew from the so-called Bible belt. There will always be those ex-patriots from Idaho and the Midwest and in Orange County and Los Angeles. It appeals to the average working man mostly. The people who go for--as they did in southern California, not up here--for the off-beat religious groups. That's what his appeal was in effect. He was a self-appointed "old folks" spokesman, a messiah for the old, and they thought he was one of them. When he got out of it, there was Bernard Brady. I guess he's still doing it. But McLain had charisma. Brady doesn't, he's doing the same thing.

Fry: Was there ever any thought that Pat Brown should aim any of his campaign to McLain?

Lynch: I don't recall.

Pat Brown and Jesse Unruh

Fry: I know you were northern California chairman, but because you were close to Pat Brown, I wondered if there was any talk about what Unruh was doing in this campaign.

Lynch: [laughs] Yes, every day.

Fry: What was he doing?

Lynch: That's a good question. We always wanted to know. [laughs]

Fry: There was a commercial aspect to the way Unruh was getting out the vote down south, which was not the way the rest of the state was doing it.

Lynch: Yes, so much a vote. He got paid "x" dollars. I forget how much. It was a lot of money. I know I screamed like a trapped panther about it.

Fry: Who paid?

Lynch: It came out of the campaign funds. Some money was awarded to him to get out the vote. It was a substantial sum of money.

Fry: My notes say anywhere from $30,000 to $100,000.

Lynch: I'd guess closer to the hundred figure.

Fry: He was paying somewhere around $8 per registration or per worker or something like that.

Lynch: I think it was fifty cents apiece.

Fry: Who was for this? Did this come from Pat Brown's own campaign, or did it come from the Democratic party?

Lynch: I don't know really. Brown and Unruh had never liked each other, as far as I knew. But if I didn't like Unruh--and I didn't--I'd have nothing to do with him, period. But Pat isn't built that way. If he thinks somebody dislikes him, he's going to spend every effort he can to bring the fellow around. He'd say, "Gee, why don't you like me? What have I done wrong?" Whereas somebody else's attitude is the opposite. I'm sure whatever the deal was, Pat probably approved it, and Unruh just laughed. He's never been a friend of Pat Brown's.

Fry: Was Bradley on Unruh's side?

Lynch: I don't think so, no.

Fry: According to my notes here, Pat Brown did carry Los Angeles County by 112,000. However, of those registered the Republicans had a bigger percentage of registered Republicans voting than the Democrats did of registered Democrats.

Lynch: That's par for the course, the Republican vote 10, 15, 20 percent higher.

Fry: To this day the southern Californians who were on Unruh's side feel that did a lot to put over the election.

Lynch: I'm sure.

Fry: The other people feel that all that money was expended really for just--

Lynch: The honor and glory of one Jesse Unruh. But, it gave him power. He was dispensing his largesse in a typical Unruh fashion.

Fry: Some people think that was an anti-CDC thing, that he was actually taking away from CDC's volunteer efforts in this regard.

Lynch: That could be. I don't know. I wasn't connected with it.

Stumping the State

Fry: In northern California how did you get out the vote? Did you see getting out the vote as a major action?

Lynch: You did that by going to meetings and energizing people to get other people to go and vote. Number one, you don't go to Republican meetings, because you can't get in. You go to Democrat meetings and you're speaking for Brown. You go to a crowd that has come in to hear a man speaking for Brown. You know they're going to vote or they wouldn't be there. So you try to get them to get all their relatives and everybody else, and then you leave it up to your local people. You've got fifty-eight counties and only seven of them, I think, are below the Tehachapis. They're all in the northern part of the state. You've got to prevail on the local people, particularly those who've been in the game a long time, to get the vote out. And they will, particularly in the small towns, because they know everybody and they've got the facilities. There are only four or five polling places, and in some places only one. The campaign can't put out a get-out-the-vote organization in every little town. There must be hundreds and hundreds of those towns.

Fry: They're spread out over thousands of square miles. How did you handle those distances?

Lynch: You handled them, period. I can remember you would start off on a Thursday night maybe and hit one--we had a schedule. We had two advance men. I'm trying to think of the other one.

Fry: Not Dan Kimball?

Lynch: No, Tom Saunders. There's another fellow, a young fellow who worked with Saunders. His name hasn't been mentioned. He was a friendly little guy. Anyway, the advance men would go ahead and line things up. They were the mechanics of handling the campaign in small towns. The meeting would start off, say, with some of the "luminaries." [laughs] It would be me or maybe Bill Orrick or possibly Bill Roth--hardly though, since Bill was too busy--mostly Orrick and myself. Saunders would line up in advance what meetings we were to attend.

Lynch: You had meetings here in Sacramento. You'd go for a dinner meeting and go from there to Woodland for an early meeting. You go from there to another town up in the Valley and stay there all night. You start off Friday morning with a breakfast meeting. Then you'd have a lunch meeting usually in one town or another. The meetings have all been scheduled, mostly with party workers. Once in a while, on a Saturday night, say, you'd get a big meeting. I remember one in Los Molinos, where we had a big meeting, two or three hundred people, and another one up at the Bluebonnet or Blueberry Lodge, up north. That was a big meeting.

But the advance men would go out the day before you do. We'd finish up some night, and they'd take off and go to the next town and stay there that night. They would get up early in the morning and line up the local dignitaries and decide whose pictures were to be taken, see the newspapers and arrange for the local chairman and the local treasurer and the local whatnot to have his picture taken with me or with Bill Orrick. The advance men would see that the pictures got in the paper, whatever the chores were to be done. The minute the thing was over, they were on to the next place.

Everybody does that. It's nothing new. But that's the way it was handled. You just didn't come wandering in and say, "Where is everybody?" or "Who are you?" They introduced you to various people.

All the local dignitaries wanted their pictures taken. I've got a million of them. I was over at Roger Kent's one time. I think I had my picture taken with every chairman in California. It was the funniest sight you ever saw. I've still got the pictures.

Fry: [laughs] We'll have to put in one of those, just as an example. I gather at this time that you couldn't spend much time in your office.

Lynch: Campaigning was mostly done over the weekends and at night.

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Lynch: You're a pigeon for every organization. They pass you around from one to the other. You make a speech at the Kiwanis in San Bernardino, and the next thing you know, you find you're invited to El Centro. Then you're invited to Cucamonga, and then you're invited to Orange County. A guy looks at the programs that they all get and says, "Oh, he's a good one. Get Lynch."

Fry: It must be quite different to make speeches for your own campaign and to make those for someone else like Pat Brown.

Lynch: I didn't make what you would call campaign speeches for myself. I'd try to make factual speeches about the operation of the office. So few people know what are functions of the AG's office. Both the

Lynch: candidates now in the 1978 election are saying the AG is the chief law enforcement officer of the state of California. The attorney general is not; he's the chief law officer.

Just like that Supreme Court judge, Byron White--he wrote an opinion one time or made a speech, and I heard it, and I asked him about it--he said, "The Constitution prevented illegal searches and seizures." You ask everybody and they say, "That's right. It is in there." You look puzzled too.

Fry: Yes. [laughs]

Lynch: It doesn't say that. It says unreasonable. So you'd use things like that, tell people about the operation of the office, why you're not a law enforcement officer, why you don't go around raiding the local whorehouse. That's the sheriff's job, and that's the chief of police's job, and it's the DA's job. Voters have the power to get somebody else in those jobs if they want, and only when it breaks down completely does the AG come in.

As a matter of fact, Earl Warren when he was AG got burned on that, badly. You probably recall when he raided the gambling ships off the coast of southern California. He got blistered by the Supreme Court for doing it.

Fry: Because he was usurping local authority?

Lynch: Because he had gone beyond the powers that he had. He wasn't supposed to go running around where he thought it would be nice to make a raid, and jump in and make the raid. Howser got burned on that too.

Fry: I remember that in the AG's office under Warren Helen MacGregor had the task of trying to find a way that he could do that legally. They thought that it hinged on this finding that there was a precedent for defining the three-mile limit as a line drawn between headlands. But wait a minute. That's different, isn't it?

Lynch: That's the tidelands oil.

Fry: Well, no. This was that case, but it was whether it would be federal or state. You're talking about whether it's local jurisdiction or state.

Lynch: People vs. Brophy sets it all out. That's when Warren was in his heyday as AG. That's the case that set down the attorney general for going into a case where he really had no business going in.

Fry: Was that a California case?

Lynch: Oh, yes. I would say it was about in the middle thirties. Ask a computer to research an opinion on it. Just push the button and it will give you all the citations you could need.

Fry: That's in the attorney general's office you can do that. It's not in our library that way.

When you were campaigning for Pat Brown, I thought that speeches would be more difficult probably because--

Lynch: No, it's easier.

Fry: When you get questions, you have to be able to answer them the way you think Pat Brown would want them answered instead of the way you want to answer them.

Lynch: That's right. You don't go in, number one, to set yourself up for questions. Number two, sometimes you use the old expression, "I'm all right on that one." You don't know the answer and you say, "Well, Pat's okay on that one, " [laughter] and then go, "Next question." It's a game. Let's be honest about it.

You'd look like the worst fool in the world if you went out there and stuttered and stammered when you didn't know the answer. You could say, "I don't know the answer," or if you've got a receptive audience that's good for a laugh, then give them a laugh and go on to the next question. It's just what Stachel Paige says, "Just keep moving. Somebody might be gaining on you."

The Changing Political Geography of California

Fry: How did you perceive this as an election? Did you think that Nixon would be very difficult to beat?

Lynch: Yes, I did.

Fry: What did you see as the hardest things to deal with in fighting Nixon?

Lynch: A political fact of life in California: California is a Democratic state by registration, but they don't vote Democratic. For instance, the stronghold of the Democratic party is Los Angeles County, but Nixon did incredibly well there in 1960. We almost lost California to Nixon. So, that's a fact of life in California.

Lynch: I would say the only Democratic city, now more so than ever, is San Francisco. There's no telling. It used to be that the Republican party ended at the Tehachapi Mountains. Now we've seen the Republicans come all the way up the Valley to the outskirts of Sacramento, in the voting. Yet the registration is Democratic. You know how poor people and ethnic groups naturally join the Democratic party. They have the image of the Republican party as the high-rolling Wall Street type of party--they're rich and they're wealthy. But, when it comes to the general election it's a personality.

Fry: That relates to something that puzzled me. It was on the group Dollars for Democrats as it was being organized. The group started out on July 12 with the appointment of the county chairpersons. Then the kits were distributed September 3. This was supposed to raise at least $96,000 or $97,000 over the state. When all the money was in, the weak counties, those that decelerated in contributions, were the southern agricultural counties, from San Joaquin County to Kern County.

Lynch: Interesting.

Fry: Why was that? I thought Pat Brown's chief asset in this campaign was his record on distributing water resources to the Valley in the south.

Lynch: No. [laughs] Voters are not idealists. They'll vote for the guy who's going to do more good for them. You don't say, "Look what I did for you yesterday." Their answer is, "What are you going to do tomorrow? The other guy said he was going to do some more tomorrow." That's the way they vote.

Fry: Was this part of the creeping Republicanism that you speak of?

Lynch: I wouldn't say creeping Republicanism. It's a creeping Republican vote, voting for the Republican candidate. There was a time, and I can recall it, when you figured to lose Imperial, San Bernardino, Orange, and Riverside counties for sure, that whole San Joaquin Valley, south of this line. When you get up north into Siskiyou County or Trinity County, where there aren't many votes anyway--

Fry: You don't worry about that.

Lynch: Alpine, for sure. You always lost Alpine County.

I can recall a time when Oakland wasn't as strong in the Democratic column, and the Peninsula used to be Republican, even in my time. Now it's Democratic. Marin County used to be solid Republican, yet now Burton gets elected out there.

Fry: And they gave the Democrats Roger Kent.

Interest Groups and Ethnic Minorities

Fry: Can I run down some of the major events of this campaign and see what you might know about them?

Lynch: Yes.

Fry: First, there were some aggressive charges by Nixon. He more or less struck the first blow. He was saying that Pat Brown's office was full of incompetents. This was kind of Nixon's theme. Then the other theme was the CDC left wing that he tried to paint Pat Brown with.

Lynch: We didn't pay much attention to those. They don't have any effect on the morale of the campaign because they're standard charges. You always say the guy's incompetent. You're not going to come out and say he's got the best staff in the country, and you're not going to say the CDC is a model of moderate Republicanism. You're going to say they're pinkos and left-wingers.

Fry: You mean Democrats.

Lynch: No, I mean, you're not going to compare them to moderate Republicans. Not only that, this is a typical Nixon maneuver. He antagonized an awful lot of people when he did that, like in the Helen Gahagan Douglas days. A lot of people hadn't forgotten it. It's the same old Nixon tactic. It didn't bother the campaign.

Fry: There were some other things that went on which may or not have been anything that Nixon did. There was a pamphlet put out called "The Dynasty of Communism," in which Pat Brown was supposed to be in the dynasty, and there was a cropped picture on there.

Lynch: I remember something with an Archbishop and Rabbi Fine.

Fry: You didn't think that this swayed voters?

Lynch: No, because they didn't put out ten million copies. Those are one-shot deals and the typical public relations thing. I don't think people paid too much attention to it.

Fry: All of this was floating around the atmosphere in California at the time. There was also the anti-Communist crusade by Ben Schwartz. Did you run up against this in your speeches? Did you have to address yourself to this issue as you went around?

Lynch: No, I only ran into anybody like that once. I was making a speech along with--oh, what was his name? He's going to run again, a John Bircher down in southern California.

Fry: Schmitz.

Lynch: John Schmitz, and somebody else. I thought I got a very chilly reception at the speech. In fact, the audience didn't even turn around. They were sitting at round tables, and they all just went on about their business while I was fanning the air with my speech.

John's a nice guy. He turned around and said, "Gee, that's a great reception. Don't worry about it. Wait till you see what they do to me." And this was his own crowd in Orange County.

I'll always remember talking to John one time. I know he went to Marquette University, which is a Jesuit school. I asked him, "How in the hell can a guy like you who went to Marquette become a John Bircher?"

He says, "It's easy. I live in Orange County." There's a lot of that in politics.

Fry: The Republicans had three self-avowed John Birchers running in this campaign, and he was one of them.

Lynch: That's fine. You're not going to get those votes anyway. It could be anyone. It didn't have to be John Schmitz. It could be Joe Blow. They're going to vote for him because they're voting against Pat Brown.

There are groups of people, and you'd be amazed the way some of these groups feel. It would really shock you. I can recall two years later when Proposition 14 was on the ballot, a group of Spanish-speaking longshoremen come to me in the AG's office asking me to defend Proposition 14. That's kind of surprising, isn't it? People just gloss over that those people were anti-black. Nobody says anything about that. They're too polite.

Fry: You mean the Democrats couldn't--

Lynch: Nobody. The Democrats wanted to get votes from both groups, and you try to keep the peace between the factions. The blacks wanted you to be anti-14, and the Mexican people wanted you to be pro-14. I find that a little disturbing.

Fry: In this campaign did you have a lot of heavy organization going on with minority groups? All I ran across was an effort with the blacks.

Lynch: Yes, I remember going to black meetings. I went to a--well, the only way I can describe it is a black lodge comparable to the Shriners. They wore fezzes like the Shriners do. They represented a very

Lynch: substantial number of black people. We knew some of them. It was in Fresno and I gave a speech to them. We went after their vote, yes, the same way you went after the MAPA vote, Mexican-American Political Association. But that's whistling Dixie because MAPA can't agree among themselves. Every time you go to a MAPA meeting, they're always trying to oust the president or they're fighting among themselves.

Fry: What was your impression of minorities' voting habits at that time; for example in this Brown vs. Nixon election.

Lynch: I'm thoroughly convinced of the fact that ethnic groups, so-called, do not vote as a bloc. I'm convinced that they're Democrats and they're Republicans, unless their ox is gored, if they are a group within the group. For instance, farm workers don't comprise the entire Mexican-American population, like blacks are not all on welfare. Groups within the group might vote the same way, but not whole groups. They're Democrats, they're Republicans, they're Catholics and Protestants. Some of them are even Jews. Look at Sammy Davis. They just don't vote in blocs. I know they don't here in San Francisco. It's ridiculous to think that you can. It's nice that you may be able to convince a plurality or a majority of them, but you won't get all of them.

Fry: Do you remember who among these people in the upper echelons of the organization were members of ethnic groups? It's hard to tell by just looking at the names.

Lynch: I don't think any of them were.

Fry: Was it all pretty much white, Anglo-Saxon?

Lynch: Yes. Well, Cecil Poole was close to me. He'd been one of my chief assistant. He's about the only one I can think of.

Dick Tuck

Fry: The Hughes Tool Company loan was resurrected from an old reporter's story and used against Nixon.

Lynch: It was Dick Tuck that--

Fry: Was that Dick Tuck?

Lynch: Yes, he had fun with that. [laughs] I had a card from Dick—I wish I could find it--years ago that he sent from Rome. He was posing in the old Roman Forum, with a toga on. He had apparently carved into one of the stones, "Tell me about the Hughes loan." Tuck also did the famous trick you've heard of, with Nixon in Chinatown.

Fry: Oh, that was this campaign, wasn't it?

Lynch: Yes.

Fry: Yes, where the Chinese characters on the posters--

Lynch: The characters said, "Tell us about the Hughes loan," and Nixon was down there waving at then.

Fry: And smiling. [laughter]

Lynch: Shaking hands.

Fry: Was Tuck just flitting in and out of that, or was that really his bailiwick?

Lynch: He worked for Pat.

Fry: I know, but was this the assignment he got?

Lynch: That's his bag. He would be unhappy if he wasn't doing something like that. Tuck started off as Pat's travel secretary. He was put in charge of the motor vehicle department in Barstow.

Fry: That sounds like one of Pat Brown's jokes on Dick Tuck!

Lynch: At any rate, Frank Mackin, who was very close to Pat--you'll see his name--was appointed savings and loan commissioner. About this time I met Dick. I remember it was on the Roosevelt train trip that went from Oakland down to Bakersfield. We were all going to ride down on the train.

I said, "Oh, Dick, what is going on?"

He says, "Don't you know, Tom? Frank Mackin has just been appointed savings and loan commissioner, and I'm the head of the motor vehicle department in Barstow."

I said, "So what?"

He said, "Well, you can have a savings and loan charter or a driver's license, but you can't have both." [laughter] And he went on his merry way.

The next time I saw him, he had some big fancy sports car, roadster foreign car. He pulled up in front of the Sheraton West where I used to stay, and he had two broads in the car.

I said, "Where did you get the car?"

Lynch: He says, "I don't know. Ask her." And he drove off. I don't know where he is now. He's in Washington.

Fry: I think he's in Washington, isn't he?

Lynch: He's probably where Dutton is.

Fry: I haven't shown you the circular that Dick Tuck sent out to get people to subscribe for $25 a year to the Reliable Source. It's a--supposedly [laughs]--news sheet he's going to put out.

Lynch: Society for the Preservation of Dick Tuck.

Fry: But that was a serious issue. Do you think it really got to Nixon?

Lynch: Yes. It was the scandal issue; let's put it that way. It didn't belong, really, to the campaign, because everybody was on it. Drew Pearson was on it and the newspapers.

Fry: Drew Pearson had first published it in October, 1960.

Lynch: Do you have anything in there about Pearson putting on a TV show in California?

Fry: No.

Lynch: Drew Pearson came out during the campaign, and he put on a TV show and taped part of it up here in the Bay Area. I remember Libby Gatov was on it, I was on it, and Drew Pearson was the moderator. I'm trying to think who else might have been on it. They were all campaign figures. I'm sure probably Warren Christopher was on it and other people. There were about six or eight people.

Ostensibly Pearson had come out here to look into what was going on in the campaign. He was pretty far out. We each had a question to answer, and every one of them was loaded.

Fry: Was Pat on the show too?

Lynch: I don't think so, no. We were billed as well-informed people in the campaign in California.

Press Attitudes Towards Nixon

Fry: You got some Republicans on your side, like Earl Warren, Jr.

Lynch: Yes.

Fry: Do you know the story behind that?

Lynch: No, I don't. I don't know what really was behind it. I could guess what was behind it. Nobody despised Nixon like Earl Warren, Sr. did. I'm sure his son hated Nixon worse because of what he did to his father and couldn't wait for the opportunity to take a shot at him.

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Fry: Butch Powers, who had been lieutenant governor, a Republican--

Lynch: Pat appointed him to something or other. I knew Butch Powers.

Fry: Anyway, you didn't subvert any Republicans personally.

Lynch: No, definitely not.

Fry: What about the press?

Lynch: The working press hated Nixon. The working press, I'd say, were 95 percent for Brown, but they had to write their pieces for the paper.

Fry: However, the actual endorsements for Brown--he got three out of four Hearst paper endorsements. He got the Chronicle.

Lynch: [laughs] He didn't get the Los Angeles Examiner.

Fry: He didn't get the L.A. Times.

Lynch: No, I think I'm the first statewide Democratic candidate to get the L.A. Times. I didn't get the L.A. Examiner, and I had a lock on that. But George Hearst wouldn't endorse anybody. That's a younger Hearst. He's not Bill Hearst's brother. He's Bill Hearst's nephew.

Fry: Did you go around to any newspapers for Brown?

Lynch: Directly, I would say probably not. I was friendly with all these people. I was friendly with the people at the Times, and I'm sure we discussed it. But, you know that the publisher is going to make the decision, regardless of what the reporters think. I've been to meetings at the Times, and I've heard Carl Greenberg and all the rest of them say what they thought about something and--what's his name now, the publisher?

Fry: Chandler?

Lynch: Otis Chandler would listen very patiently, but then he would endorse the other one.

Lynch: The working press, in 1962, I would say, had no use for Nixon at all, except maybe Earl Behrens or some of the old-timers. I don't know whether Earl was still around then. I think he was.

The one man who it always surpised me was for Nixon was Cap [Caspar] Weinberger.

Fry: I think he was state chairman of the Republican party in California at this time. Did he ever fade in his support of Nixon? Has he ever faded?

Lynch: I don't think so. I've talked it over with him. He was propositioned to run against me once, for DA, he and Bill Ferdon and Vince Mullins, two of my closest friends were asked to run against me.

Fry: Ferdon?

Lynch: Jack Ferdon was the DA. Jack succeeded me. This was his brother Bill, who was a Republican. They all told me, and I knew who it was that propositioned them. They were sworn to secrecy. They were offered something like $40,000 in campaign funds if they would run against me. But, these were my closest friends. [laughs]

I remember Mullins called me and said, "I was offered $40,000 to run against you."

I said, "Who offered it to you?"

He said, "I'm sworn to secrecy."

I said, "Well, you don't have to be. I know who it was. What did you do with it?"

He says, "I turned it down."

I said, "Well, you silly so-and-so, why didn't you take it? We could use it." [laughter]

He said, "Oh, I should have thought of that."

Concern From the Kennedys

Fry: Suddenly, on October 22, 1962, we had the Cuban missile crisis on our hands.

Lynch: Oh, I remember it.

Fry: Pat Brown flew off to Washington at the time, doing his duty as governor.

Lynch: Advising the president?

Fry: Or something.

There was another Washington meeting, long before that, that I wanted to ask you about. First of all, Pat Brown made a National Press Club speech back in January.

Lynch: He did very well, as I recall. I forget who wrote the lines. Somebody wrote his material, which is what you do. It was somebody in Washington.

Fry: We'll have to ask Pat about that. There was also a meeting with the White House, or with Kennedy, and an early visit there. This was during the time that the polls showed a Nixon lead. The story is that when Pat Brown went to the White House and talked to the Kennedys, they felt very strongly that Pat should try to beat Nixon and that Nixon could be beaten in California. Were you at all in on that? Do you remember Pat talking to you about it?

Lynch: Yes. I'd been to Washington myself. As a matter of fact, I was invited back to dinner. Pat was in town. He had just come up from South America. It must be in March; it was a St. Patrick's Day dinner. I was invited and I went back and met Pat in the Madison Hotel.

He said, "What are you doing here?"

I said, "I'm going to dinner at the White House."

He said, "Gee, can you get me an invitation?" He wasn't invited. He was half Irish. You had to be all Irish. But Jesse Unruh was there. I don't know what the hell he was doing there. [laughter]

Fry: That's not very Irish.

Lynch: I asked him.

Fry: So Jesse at that point, then, was closer to the Kennedys.

Lynch: He was in with the Kennedys, particularly Bob Kennedy.

Fry: What we don't have yet in this campaign is a feeling for what Pat was going through, any doubts or problems or successes.

Lynch: He would probably deny it, but I would say that early on when he was down in the 30 percent bracket in the polls, he felt that he'd made a terrible mistake. Wait a minute. No, I'm wrong. He felt all right against Nixon. This was against Reagan, when he ran the third time. He was way down in the polls.

Fry: He was down in the polls in this campaign too.

Lynch: I can give you a date, I think. I had a diary.

Fry: We've got the polls over here. But, you're right. I think Pat himself was telling about feeling pretty bad that Reagan was getting such high poll showings.

Lynch: I think during the Nixon campaign he was down in the polls.

Fry: Yes, he was, at first.

Lynch: I think he felt pretty upset at the time. He felt that he possibly was not going to be the winner.

Fry: After all, Nixon had beat Kennedy and Kennedy was--

Lynch: Definitely, that was in this campaign, because it was while I was still the DA.

Possible Appointments for Lynch

Lynch: Pat talked a lot about what he was going to do and what did I want to do and what was the position I would like.

Fry: Why didn't you want to be a judge?

Lynch: I never wanted to be a judge.

Fry: I'm assuming that he did offer you a judgeship.

Lynch: Yes, he did. But I didn't want to be a trial judge. I would've accepted a position in the appellate court. I thought the openings were there, and I said to him I would accept the appellate court.

He said, "Well, I don't have any openings.

Fry: He didn't. Why did he change his mind?

Lynch: I think he was influenced to do it by Mrs. Brown, because she felt that I could be a lot of help to Pat, which was fine.

Fry: If you had become a judge that would've taken you--

Lynch: Out of the picture, yes.

Fry: Was that after you were attorney general?

Lynch: No, it was during the 1962 campaign.

Fry: It must have been a disappointment to you.

Lynch: No, not at all. I had a job as long as I lived as DA in San Francisco. It was a nice job, the best job I ever had. I enjoyed it much more than attorney general.

Fry: You must have known at this point that a judgeship was going to go to Stanley Mosk.

Lynch: That's right.

Fry: So that you could have been appointed to attorney general.

Lynch: [laughs] Yes, but then everybody in town was after that. I was at a meeting in the old governor's mansion, and they were all there. Winslow Christian--I always liked that name, sounds like a line out of Mutiny on the Bounty--, and I think Dutton was there, and Roger Kent was there and a half a dozen others. Pat suddenly announced that he was going to put Stanley on the state supreme court and appoint "Tom" attorney general. But to announce it--well, he hadn't discussed it. You could hear the bodies falling all over the place. [laughter]

Fry: How early was that? That was the in group that you're talking about.

Lynch: It was in '64.

Fry: So that was shortly before the actual occurrence.

Lynch: I was in as AG for two years. Then I ran in 1966.

Fry: So this was not an advance announcement.

Lynch: I would say it was just before Pat went back to the Democratic national convention in Atlantic City in 1964.

Fry: Then you were actually appointed on August 31, 1964.

Lynch: It was the end of August.

Fry: There was another thing that happened in '62, the charge that Nixon had racial bias. Somebody got at the deed on the Nixon house in Washington, D.C. and found a restricted covenant on it. A group called Independent Voters of California circulated an extract to Jewish and Negro neighborhoods.

Lynch: I recall that vaguely. I wouldn't be in on anything like that. I don't mean that I wouldn't get in it. That just didn't come into my bailiwick at all.

Fry: I thought maybe because you knew how to investigate that you would be a good researcher on things like this, or that you would know how do it.

Lynch: Yes, I probably could. [laughs] I'd ask Harry Lerner. He'd give you the answer in three words. "I did it."

Fry: That was Lerner's mechanism, I guess. There were a lot of leaflets circulated among minority groups.

Lynch: A lot of those things are done independently. There were lots of groups who would form a Brown ad hoc committee for something or other. They'd have a particular ax to grind, sometimes to your embarrassment.

Fry: It seems to me that there your role as a public speaker for Brown was to raise money.

Lynch: Oh, I had some knock-down, drag-out fights on those things, real ones. I remember a couple of fellows down there in San Mateo County. I almost went to the floor with them. I've got that all documented.*

Run-ins With Goodie Knight

Fry: We didn't tape your 1958 run-in with Goodie Knight last time.

Lynch: You might've asked me about my relations with Goodie Knight. I didn't have any, except in two instances, both of which I thought he was a phony--or three instances.

After he was out of office he was sued for "x" million dollars, and so we were automatically his attorney, as attorney general. He came in to see me about the lawsuit, and I said, "If you want us to represent you, we will."

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*This incident concerned a 1962 fund-raising dinner for Governor Brown about which Lynch had considerable reservations. See appendix for the descriptive notes Lynch made at the time, which he kept in a small looseleaf notebook reserved for his personal summaries of sensitive topics.

Lynch: He was all over me. "Nothing could be better, Tom. I'm delighted to have the office represent me."

"Well, you now have three hundred lawyers." And we represented him.

The first instance was when he was about to appoint a man as judge who had worked for me and who had tried to open an abortion parlor up in Nevada. He'd gone up there. He wasn't too smart. I found out from a newspaperman, Clint Mosher, that Knight was about to appoint this man a judge. Clint called me to tell me about it. Nobody knew the story at that time.

So I called Goodie Knight and couldn't get a hold of him. I finally got a call through to one of his people at midnight on that same day. This aide told me Knight was going to Los Angeles. I told the aide about this thing. He said the appointment had already gone through and had been sent to the bar.

I called the president of the bar association. I told him about it. He said, "Well, we've already approved it."

I said, "How can you approve the man when you don't even talk to his last employer? This is an old story." He was all upset about it. I told him the story, and he almost fainted dead away.

So the next day Goodie sends his hatchet man. I forget what his name was. I think he'd been with Earl Warren. He came down, and he beat around the bush.

I said, "Would you like to hear the conversation I had with your appointee?"

He said, "Oh, yes!" I played the tape for him that I had taped without the other guy knowing it. He looked at me. He must have thought I was a real fool. He says, "Could I have that, Tom?"

I said, "Not today, you can't. [laughs] I'll make you several copies of it." So, he got back to Goodie Knight.

By that time the newspapers got wind of it. One of the reporters went up to Nevada, and he knew the story, but he couldn't pin it down. So the DA up there called me. I think his name was Montgomery. I said, "Someone should tell this story." So the DA did, and it was a front page story.

Fry: That was the Hearst paper here, wasn't it?

Lynch: Yes, the Call-Bulletin. So, Goodie blasts me for not letting him know. I blasted back at him, and I got blasted by the paper. "You two shouldn't be fighting."

In another instance, we tried a case and the fellow was convicted. The judge congratulated the jury that convicted him. It turned out he was innocent. He didn't put up any defense at all. He allegedly held up a jewelry store. We found out about a year later that somebody else did it. The fellow confessed. The other guy didn't offer anything in his own defense.

So, we checked it out and went to see if Goodie would pardon him. He did, but he took the opportunity to blast me and the police department for convicting an innocent man. He was making a gratuitous statement, "Well, I'm glad we've looked into this. It's one of those things that happens." And it does. He blasted me. I wasn't very fond of him. I don't think anybody was, not even Mrs. Knight.

Fry: Publicly, didn't she stick up for Goodie? Are you saying something here that I should know?

Lynch: No, she wasn't very fond of him.

Fry: You're talking about the person who married him as governor.

Lynch: Yes, Virginia. That's all I know about it, really.

Bert Levit

Fry: I guess the only other thing to ask you is were you with Pat Brown on election night when the returns came in and he had beaten Nixon?

Lynch: I don't recall if I was. He probably was in southern California. I would say he was probably over at Bill Orrick's house for the election, which is sort of a tradition. I'm only guessing because we've done it so many times. Jack Abbott and Bill Roth would be over. Ellie Heller would be there.

Fry: You never did tell me what caused this changing of the guards in the people who worked in the campaign.

Lynch: It's a normal thing. You just get more experienced. I would say that almost everybody who gets into the campaign for the first time, particularly statewide campaigns, just doesn't have a great idea of how to put together a real campaign staff.

Fry: But Pat had been through two statewide campaigns at this point as attorney general and had kept pretty much the same people. He'd been through more than that, if you count the presidential delegation.

Lynch: Yes, but the staff got refined as the years went on. In other words, a lot of the people were spear carriers. You may see their names on the letterhead, but that doesn't mean anything. That's the old partial list.

Fry: Some of the real workers had been absorbed into his governor's office.

Lynch: That's right, very many of them. Alexander Pope, Fred Dutton, Bert Levit.

Levit just went into the governor's office temporarily. He came into the DA's office and put that on its feet. Then he went into the AG's office and put that on its feet. Then he went into the governor's office and just helped put that on its feet.

Fry: What did he like to do best?

Lynch: He was a Republican. He's a very precise, methodical and very fine man. He'd been trained that way. He represents big insurance companies, not in a claims sense but on a higher level. He's more of a legal advisor.

He likes a challenge like that. I helped him with the DA's office. The place was chaos. Bert has a gift for organizing, and he just organized it, period. When it was organized he left. He didn't want to be an assistant DA. When I first went into the DA's office, he came in with me. When Pat became attorney general Bert went up to the AG's office with him, and when Pat became governor, Bert became director of finance.

Fry: But he was really helping to organize the whole government.

Lynch: Yes, sort of analyzing the whole works.

Fry: The whole executive branch, you mean?

Lynch: Yes.

Fry: Was he one of the important ones in the reorganization?

Lynch: Oh, very definitely. He was <u>the</u> important one. Of course, Bert is the type that's--my type.

Fry: What's your type?

Lynch: He reorganized, period. Get the best person into this job regardless of who the guy is. Bert wasn't political not at all. He's a Republican. He's always been a Republican.

Fry: Is he a good one to interview?

Lynch: Yes. He's a very eloquent guy. I don't know whether he's practicing or not. He's living in Tiburon.

Comments on Pat Brown

Fry: Do you have any special perceptions that you'd like to share with us on how Pat Brown as a person approached this campaign and managed to survive physically through it, compared to some of his other campaigns?

Lynch: Physically he's a very strong man. I don't know that he ever had any serious illness. I can think of other people who just broke down. I spent most of my time going in and out of hospitals, working for Pat Brown. I had ulcers and cancer and an aneurism. Nothing seemed to bother him. He loves to play golf. He's got a love for people that's just fantastic.

He's a born politician. I was in Lone Pine with him one time, and you can't get any aloner than being in Lone Pine. We were going to go up to the mountains on a fishing trip. We're walking down the street, and it's a Sunday. Here come two elderly ladies coming home from church. Right in the middle of the intersection Pat stops and introduces himself. "I'm Governor Brown. You ladies coming from church?" I could no more do that than fly.

Fry: [laughs] He still does that, even when I'm with him. You'd think he was still running for office.

Lynch: He does it on airplanes, anyplace. It doesn't bother him. He went down to Indonesia. He met my son down there. He immediately invites him to go with him. He does this all the time. He invites everybody to go. If somebody invites Pat to go someplace, he invites everybody else. [laughter]

He was going to fly from Djakarta over to West Irian. It's near Borneo. He says to him, "Well, you come too, Mike." Of course, then he got the shock of his life because when they get over to West Irian, they got off the plane, and the host spots my son, "Mike! What are you doing here?" [laughter] Then Brown, "How do you know this man?" He's very inquisitive.

Fry: That was his oil company, right?

Lynch: Yes. My son is in the import-export business.

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Lynch: I bet I've turned down dozens of invitations from Pat to go somewhere. "Why don't you come along?" He calls me at least once a month and wants us to come down to L.A. for a dinner. "You can have dinner and have a great swim," if you learned how to swim.

Fry: Taking that swim every morning is the other thing he does to really keep in shape.

Lynch: And he plays golf.

Fry: The other day he dug up a picture of himself from that very first campaign right after he got out of law school and ran for the assembly. Here was this slim guy; he looked so different from the way Pat's looked in all the other pictures I've seen.

Lynch: That's one of the great stories. I can't tell it well, but somebody was giving him a real bad time, on TV or some other thing. They were just pointing out all his deficiencies, that he did this and he did that. Pat just looked at him and he says, "I can top that. I was once a Republican." [laughter] It brought the house down. He loves to tell those stories.

Fry: Next time we can go into why all this worked for Nixon, but it didn't work against Reagan.

Lynch: Yes, it's an interesting story. I don't know if anyone knows the answer.

Fry: Did you take part in the 1964 presidential campaign between Goldwater and Johnson? It would've been right after you'd been appointed attorney general. You were appointed in August of '64.

Lynch: No, not really.

Fry: Then, next time we'll start with the 1960 campaign.

Lynch: I was active in the next campaign.

Fry: In '68. If we take 1960 and 1968 next time, does that wrap up your campaigns?

Lynch: Yes, I think so.

Fry: Were you in the 1972 campaign?

Lynch: No, I spent most of '72 traveling in and out. Also, in '72, I think I was gone for about six months. That's when Nixon ran for re-election. I voted in Beirut, absentee.

Fry: [laughs] You weren't invited to make any after-dinner speeches.

Lynch: No. No, I voted in November--I think I left here in August, and I didn't get back to this country till sometime in February or March of the next year.

I remember I voted in one place, and then we decided we wanted to hear the results at the International Hotel in Beirut. So, we got up really early. There was going to be a big party Monday night. It was in the paper. So we got up early and went to it, and there wasn't anybody there. [laughs] The time was just about the same. Early evening over there was--it was eight hours difference. The election was all over.

VI PRESIDENTIAL CAMPAIGNS: 1960 AND 1968

[Interview 4: May 31, 1978]##

Lynch Visits Joe Kennedy

Fry: Apparently in 1960 Pat Brown was being talked about as a nationwide candidate fairly early on.

Lynch: That's right.

Fry: Were you in on the feelers that Pat sent out and that other people sent out to him?

Lynch: I don't know about the feelers that he sent out, but I know that it was generally understood that he was a--well, of course, he was a favorite son.

Fry: What about before he was a favorite son or when he was being considered as one?

Lynch: He was going to be a favorite son, because it's academic and elementary that the governor of the state is usually the favorite of the party, at least going into the convention. I'm sure it's an ego trip with most of them. They like to get nominated and then seem to be holding power.

In California you were right up there in the ABC's for the roll call, and possibly the state might be able to throw a key vote. Of course, at that time, Kennedy was a likely candidate.

Fry: I might insert here the likely candidates who were at the convention: Stuart Symington, Lyndon Johnson, John Kennedy, Chester Bowles, and Adlai Stevenson.

Lynch: That's getting a little ahead of what I want to tell you. Kennedy had let it be known--or I don't know whether he let it be known, but we knew, or I knew at least--that he was probably going to come into California for the primary. Of course, in my opinion, that would have been a shambles with Brown and Kennedy competing for the delegation.

Fry: Was there any hope early on that Brown could be the head of the Kennedy delegation?

Lynch: I don't know. I got a call from a very good friend of mine, whose name I'm not going to use. He's connected with the Kennedy family, and he lived in Nevada. Years later on somebody might figure out who he is. He's dead now. At any rate, he was a friend of mine. He called me, and he asked me if I would come up to Nevada and talk to Joseph Kennedy.

Fry: This was back in '59?

Lynch: No, this was just before the election of the delegates. That's what the conversation was to be about.

So I went to see Pat Brown. I knew that Pat had a lot of thoughts about what the delegation might do, because there was a very strong Adlai Stevenson feeling among what I would call the more liberal Democrats. These are the Jane Morrisons and the people of that type. There was Chester Bowles [laughs], who is mentioned there in your research notes.

Somebody was for Chester Bowles; I can recall throwing him out of the room down in Los Angeles. Oh, I remember who it was. It was the fellow who had the Savings and Loan, Bart Lytton. You've probably run across his name. Bart Lytton was for Chester Bowles. In fact, Lytton put out, at the convention, a facsimile newspaper, the Bowles News or something like that. He was not a political man. He was a very pushy fellow who owned a savings and loan, which subsequently went broke. He's dead.

Anyway, I went to see Pat. I told him that I was going to go see Joe Kennedy and that he obviously wanted to talk about the delegation. I told Pat, "I'm not going to waste my time, unless I know where you stand." We talked about various things.

I don't think Johnson was a serious man in California. Other people might have different opinions. Bowles, of course, was not. Neither was Symington. But--what's his name?--Adlai Stevenson was, both in southern and northern California. Pat at that time assured me that he was for Kennedy, and I took it that Pat was going to try to control the delegation as a Kennedy delegation.

Lynch: This sort of thing arises all the time, in what I've read about various political conventions. It takes a strong man to control a delegation. First of all, in selecting the delegation you have to get a cross-section of feeling. Obviously you had at least two sides, the conservative Democrats and the liberal Democrats. There are people in the party who have a right to sit on a delegation because of their past performances financially and politically, and they may not agree with whom you want. Guys like Mayor Daley, you can say they control those delegations.

Massachusetts--they didn't know what they were voting for. I was watching them. They were next to us at the convention. The delegates were like a bunch of robots. They were all just sitting there having a good time. Larry O'Brien would come over and tell them when to vote and who to vote for and what to vote for. And they did. I would say New York was the same way. They were controlled delegations.

I'm sure the Kennedy people, because they were Easterners, believed that that's the way you do things. They're from Massachusetts, and they control delegations down to the last man. As a matter of fact, I don't think they put a man on the delegation like we do in California. You can look at some of those names on the list of delegates. There's pretty much a cross-section.

Anyhow, I came away from that meeting with Pat with the definite opinion that Pat was going to be strongly for Kennedy, but I had in mind that this is California, and it's not Illinois or Massachusetts or New Jersey or one of those typical--let's say, the old time politics. They don't understand the politics of California.

Fry: Where the governor really doesn't have much patronage to pass out to friends after he's elected.

Lynch: One time my wife and I were with Pat and I think Fred Dutton and maybe one or two others at a dinner party at Ellie Heller's home. Abe Ribicoff was there. Pat was running for governor at that time. I can remember Ribicoff asked Pat, "Who decided that you should run for governor?"

Pat gave the only answer he could give. He said "I did."

Ribicoff said, "Well, I don't mean that," and they went into a long discussion. "Did you have the approval of the party?"

In California you're not anointed by the party to run, like you are in other places. In other words, if you ran in Chicago, in years gone by, without the blessing of Daley, you might just as well go out to the ball game.

Lynch: So, I met with Joe Kennedy, who I might say was a tough old bird.

Fry: What was he like?

Lynch: He was a very feisty Irishman. I'm a bigger Irishman, but--

Fry: [laughs] But that didn't help?

Lynch: It didn't help him. He started to lecture me, so I brought him up short and ended the lecture. There were just three of us. My friend and the two of us. We were out in the lake cabin. We had a long discussion, and the discussion centered around the fact that Jack Kennedy was going to come into California and run in the primary.

"Who will head the delegation?"

My guess is Joe Kennedy figured that somebody, probably me because I was allegedly very close to Brown, should keep Brown out of it and let Kennedy have a free run at it. Well, you might as well have shot me. This happened. I was there, and we went round and round. This discussion lasted a couple of hours.

I remember using the expression to Joe Kennedy--I said, "I'll tell you one thing. If Jack Kennedy, as much as I like him, if he comes here to run in the primary there's going to be blood in the streets. You don't know California. Pat Brown is a very, very popular man. People are not going to turn on him, not for Joe Kennedy. They'd take it as an insult if Brown were just pushed out of the race. You can't push, and that's all there is to it."

Fry: Who else was going to push Pat Brown?

Lynch: Kennedy.

Fry: Who were Kennedy's allies in California?

Lynch; I don't know who they were. They don't operate that way. I guess maybe Unruh in the background. You never know where the hell he is. Perhaps Unruh, I don't know. I can't recall anybody who was--a lot of us were very strong for Kennedy. Kennedy probably counted on me as an ally. I had been friendly with the Kennedys for a long time. I knew Jack when he was a congressman and also, of course, when he was a senator and ran for president.

But the old man was a stubborn Irishman. Everybody knows that. I say this kindly, but he was the sire of the new breed. The Kennedys were going to be immortal, as far as he was concerned, and what he wanted I suppose he's been able to get, because he had a hell of a lot of money. But he wasn't going to get this. He ran

Lynch: into something that--being Joe Kennedy, the father of the tribe, didn't mean a damn thing to me. We parted, I suppose, happily. I had a very interesting conversation with him some time later.

Fry: Can you place this in time? How far along had the Pat Brown delegation come? Had it been chosen?

Lynch: It might have been the year before. It might have been late fall, 1959. It probably was late in the fall, because we were out by the lake, and I remember the weather was good and bright and sunny. Where we were, there wasn't snow. I'm sure it wasn't spring because he used to go out there for the sun.

Joe Kennedy went to Reno quite often for the sun. He was a great friend of Errett Cord, who was the maker of the Cord automobile. He has been deceased for years. That's a great American classic car. It was supposed to be the most beautiful American car ever built. C-o-r-d.

Fry: Is he at Reno?

Lynch: He lived in Reno. He was retired, and he was way up in his seventies, close to eighty, a very lovely gentleman. There's a whole group of them. They are gone now. They used to meet in the Holiday Hotel for a evening drink at a big round table, about fifteen of them, all very wealthy men who had gone up there to retire or had made a lot of money up there, very interesting people.

Fry: Were the Kennedys connected to this crowd?

Lynch: The man that arranged this was connected with the Kennedys, but in a collateral way.

Fry: He was a member of this crowd?

Lynch: Oh, he was the leader of it. He was a very powerful man. Well, I'll give you his name. It was Norman Biltz. He's dead now.

Fry: A Nevada man?

Lynch: No, he was from the East. He had made a lot of money and was still making it. To show you how they made money, they bought up a lot of old Army warehouses--this is just a little sideline--and used to store airplane engines in them. With this stupid inventory tax we had in California, which is now out, if the airlines stored their engines here in California, they would have to pay a fantastic tax on them every year, although they're just sitting in the warehouse. But they don't have that tax in Nevada. Then they'd draw them out of the Nevada warehouses as they need them. They were geniuses at making money.

Lynch: Obviously, I persuaded Joe Kennedy to tell Jack Kennedy not to run in the primary in California. Jack didn't; put it that way.

Fry: And you didn't persuade Pat Brown to head the Kennedy organization.

Lynch: No, that wasn't it.

Fry: It seems like that would have been a logical--

Lynch: No, that's the way they thought, but I had to explain that to them. I said, "This is a free and open delegation. You can't push Pat Brown out of the status symbol"--if you want--"of being the head of the California delegation." It's not unusual. There are many delegations that go to the convention with the governor or the leading--if it's a Democratic convention--Democratic officeholder pledged to no one except him. He divides the delegates as he sees fit. So, it was not to be a Kennedy delegation.

The California Delegation Takes Shape

Fry: Material I read said that this was the first uninstructed Democratic delegation in California since the present election laws took effect in 1912.

Lynch: That could be true.

Fry: Did anybody realize what havoc it would cause?

Lynch: Well, it did cause havoc. There's no question about that. We can get down to that later. It shouldn't have, but that's Pat Brown. He put all sides, all colors, and all feelings on the delegation. If you run down the list of the San Francisco delegation, all but one were for Kennedy. Look at who they were. I was there, number one. I was for Kennedy. Ben Swig and a few others of his ilk were there. The only one I can remember for Stevenson was Jane Morrison.

Fry: How were those delegates selected? Apparently there was a committee of ten. They selected delegates in Carmel.

Lynch: I wasn't there.

Fry: Did you help with the selection?

Lynch: No. I was selected because Pat wanted me on the delegation. I was just the district attorney of San Francisco. I was not a Democratic politician, believe it or not. I didn't belong to any Democratic clubs, I didn't belong to CDC, and I was never on the county central committee.

Fry: [laughs] But you are a politician, and you are a Democrat.

Lynch: No, I'm not.

Fry: You're the best politician I know.

Lynch: Well, that might be true, but I'm talking about being a political person. Maybe I am a political person, but being a politician--

Fry: You mean a definite part of a political group, a party structure.

Lynch: That's right. Working your way through the chairs or trying to control groups, I don't do that. Of course I don't do it any more, but I never did.

Fry: Did Pat talk to you any about how they were going to set up criteria for people coming on the delegation? There was a lot said about that.

Lynch: No. I know that you would go around and reward the faithful. That's number one in politics. Anyway, as Andrew Jackson says, "If you can't find a good Democrat for the job, abolish the job." [laughter]

[tape off briefly; pause to test tape, trying to eliminate buzz]

Fry: You were talking about Pat Brown wanting to be favorite son. Were you aware of his attempts to run as a serious candidate--not just as a favorite son with an open delegation but with a delegation pledged to him? Do you know why he didn't do that?

Lynch: I think just pressure from various groups in the party. Within the party he was controversial, like everybody else. There were people you had to put on the delegation just by that philosophy of rewarding the party faithful. In other words, you had to recognize the Stevenson people. If you didn't, you would eliminate a very substantial group of Democrats. That is, they represented a very substantial group of Democrats.

Fry: And they weren't going to switch to Pat or anyone else. Is that what you mean?

Lynch: Not on the first ballot. They were going to vote the first ballot. I think they might have switched on the second. As the voting went, I'm sure they would have gone to Kennedy, because Stevenson was a loser.

Fry: I'm getting ahead of myself here. Back on September 29, 1959, Brown called a meeting of a lot of the leaders--probably you among them--at the mansion. I've got their names here. His letter of invitation said the purpose of the meeting was "to build the Democratic Party in

Fry: California for 1960." I don't know whether he was still thinking about running as a real candidate for president at that time or not. The people coming were Bill Munnell, Paul Ziffren, Libby Gatov, Dutton, and I guess the whole group.

Lynch: I probably wouldn't have been in with that group. I don't recall.

Fry: There were a lot of people invited. That's just a few.

Lynch: I might have been there.

Fry: Earlier than that, I found a May 7, 1959, letter from Steinberg, lining up support for Pat Brown for president.

Lynch: Lionel Steinberg was what I call a self-starter. There are always those. He's a wealthy man, and he liked politics. He liked politics. He liked to be, in the best sense, a kingmaker. People with wealth, a lot of them are that way. I think he was thinking of the perquisites that might flow from it, which is not bad. But he was that type of a person, a very wealthy man, as I recall.

Fry: Do you think the Hellers and Swig and Bill Malone and Magnin and all those moneybag types who usually gathered in the money would have backed Pat Brown for president? Or do you think they were asked?

Lynch: I wouldn't count Malone. Malone is not a moneybags, number one. But Swig--who were the others you mentioned--and Magnin were very fond of Pat Brown.

Fry: And Ellie Heller?

Lynch: Ellie Heller, no. Ellie is a very lovely woman. I love her. She's a very hard-nosed politician. She would not back anybody just for the hell of it, or put her money into any campaign just for the hell of it. Ellie is a very experienced, very hard-nosed politician. If she didn't think Pat Brown had a reasonable chance of winning, she wouldn't get on the bandwagon; whereas Ben Swig might, or Cyril Magnin. Magnin would do whatever Ben did. So did Adolph Schuman. And poor old Max Sobel was alive at the time. They'd do whatever Ben did. They had a sort of an affinity.

Lynch: They were all rich and Jewish, and they were not political types at all.

As a matter of fact, Schuman used to boast openly, "Whatever Ben gives, I'll give." Schuman would sort of challenge him. If Ben said, "I'll give $5,000," Schuman would give $5,000. Ellie would never tell you how much she was going to give. She'd just send you the money and never get up and make a speech about it. I would say those are good people. They are a great help to a candidate, but they like the feeling of being a part of his entourage, let's say.

Fry: As spring progressed, was your feeling that the delegation was largely pro-Stevenson or largely pro-Kennedy?

Lynch: I thought it was pretty even, which is not hindsight, because it did seem pretty even. I knew an awful lot of the people. Of course there were a hell of a lot of them, because we had the half-votes.

Fry: What was Pat Brown's agreement with Kennedy about releasing the delegates?

Lynch: I don't think he had any. He didn't release the delegates. We all voted the way we felt like voting. There was a serious question--I never could get it straight--as to whether Pat wanted to go for another round of balloting at the convention. That was a question I don't think was ever answered, unless he answered it, whether or not he'd go on the second round or stick it out on the second round. Pat definitely had a hope, before the convention, that he might be nominated at the convention as the candidate, not just a favorite son candidate.

Fry: His hope was that he would be nominated and would beat Kennedy, or Adlai?

Lynch: I don't know what his hope was. It came as a complete shock to me.

Fry: How did you know?

Lynch: I was there.

Now, let me ask you a question. How sacred is this record?

Fry: It's very.

Lynch: No possibility of it getting out?

Fry: No, because the only other persons who would hear this would be the typists, and they are all sworn to secrecy.

Lynch: Suppose it did get out. Can I sue the University?

Fry: You can sue me. All right? So anyway, this goes under seal.

Lynch: Give it about twenty years. Are you getting any seals on the interview transcripts?

Fry: Yes, we do. I think I told you that Chief Justice Burger has his interview under seal until 1990.

Lynch: That's what I was thinking of. That's what, twelve years. I might still be alive. I don't like people to get hurt by what I might say. You want to shut the tape off a minute? I want to get some notes. [tape off briefly]

Lynch: You asked me whether or not I thought that Pat wanted to be the candidate or get the nomination to be the favorite son. He wanted more than that. He wanted to be nominated by Jimmy Roosevelt. Pat asked Jimmy Roosevelt in the Knickerbocker Hotel in Los Angeles while the convention was in progress, before the voting started, if he would nominate him. As a matter of fact, he called Jimmy Roosevelt and asked him to come over to the room. Jimmy did, and Pat asked him if he would nominate him. Jimmy said yes. I think Jimmy looked a little startled. I know I did. I know Jimmy said yes, he'd do it.

I remember the remark he made. Pat remarked, "Gee, what an honor it would be to be nominated by the son of our greatest president," of course meaning FDR. Then Roosevelt made a remark to the effect of, well, he had to get going and prepare a nominating speech. Hale Champion was there; I'm damn sure he was. But I wouldn't want you to bring it up with him. You've got enough. That was an awful lot of the fun in this.

Fry: Wait a minute. You're leaving us with Roosevelt leaving to write the nomination speech.

Lynch: He didn't. I don't know what happened.

Fry: Was Roosevelt a member of the California delegation?

Lynch: He was living in Los Angeles. He was in the real estate business. I'm sure he was. He was a very busy man. That was an interesting convention.

Fry: Do you think that would really have wrecked the delegation?

Lynch: Oh, I think so. I don't know what Roosevelt did, but I'm sure he didn't just go eat his lunch. He went out and talked to people about it, and they just told him to knock it off. I'm sure Jimmy relayed that back to Pat.

A Kennedy-Stevenson Split at the Convention

Lynch: Another interesting phase of that convention--and I wish I had a list of the people--the California delegation broke up into two factions, the Kennedy faction and the Stevenson faction. We were holding closed-door meetings.

Fry: Apart from each other?

Lynch: Oh yes, definitely. We had a suite that Ben Swig gave to us. Ben and a lot of the people that were for Kennedy were in one group. I guess the Stevensons were doing the same thing. I didn't go to their meetings. As a matter of fact, we wore P.T. boat pins. I've still got them.

Fry: Here's a list of the delegates. I think it's kind of early on, but it will give you most of the people that wound up at the convention.

Lynch: I couldn't divide them, but you know that people like Bill Roth would be in Kennedy's list. I'm sure that Ed Pauley would, and Dan Kimball and Roger Kent and Stanley Mosk, Gene McAteer and Bill Orrick. The guy who ran the meetings--I can remember him leaning on the mantlepiece.

I would say they were pretty tough, the JFK delegates, because as I told you Bart Lytton tried to get in the caucus, and I had the great pleasure, along with Jack Abbot, of throwing him out of the meeting on his ear. I mean literally. That's not unusual. Every delegation has a half a dozen caucuses. That's the name of the game--caucuses. Nobody knows what it means, but they do it.

Fry: I thought that in this delegation there was a long postponement in ever taking a delegation nose count of who was for whom, and that the reason for not doing so was that they wanted to hold the delegation together as much as possible.

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Lynch: I don't think the delegation was polled too much within itself. Perhaps it was, only for those in the doubtful category. I don't recall being polled. Everybody knew that I was for Jack Kennedy because I was talking to the Kennedy people all the time. We were right next to the Massachusetts delegation, and so I was talking to Larry O'Brien, Kenny O'Donnell and the whole schmeer. I knew them all, and they were asking me what was going on in our delegation. The Kennedy people knew everyone who was for Kennedy. We had our own poll, in a way, because we wouldn't let anybody into the room unless they swore that they were for Kennedy. They had them wearing the P.T. boat pins.

Fry: There was one switch that kind of surprised me. George Miller, Jr. switched from Kennedy to Adlai at the convention. Did you have many people switching around?

Lynch: It was hard to tell. I've forgotten how they actually polled us, whether they went around and counted, but either Joe Wyatt or Tom Carvey was the poll-taker. In other words, he polled the delegation on the floor, before the vote and announced the vote. I don't know whether we handed out slips of paper or raised our hands or sneaked out and whispered in his ear or what we did. There was too much going on.

Fry: The crux of this was that Pat Brown did not deliver the delegation as he had planned.

Lynch: As the Kennedy people were led to believe he would, and presumably partially by me. But I had let them know that I couldn't do anything. I always was rather pleased that they didn't hold it against me. I had very friendly relations with them after that.

Fry: Do you think that that delegation could have been controlled?

Lynch: No way. I can look down those lists, and there are people on them that you couldn't possibly control--John McHenry from San Jose. You had people like Glenn Anderson. I don't know who he was for. You're not going to control a man like Roger Kent. You've got people like Ed Regan. This is, I would say, a very prestigious delegation in a way.

Fry: There were a lot of officeholders on the delegation.

Lynch: Yes. Well, that's normal. You can't let them out. But you've got Martha Jane Morrison, better known as Jane Morrison. Who are these over here? [looking at list] These are alternates? No. Jane Morrison was for Stevenson, period. You're not going to change her, no way. If the delegation came out sixty-five for Brown, she'd still vote for Stevenson, just to get her vote in. And more power to her. I'm looking at the delegates I know were for Kennedy who wouldn't change--McAteer, Orrick, Shelley, Ben Swig--you'd get some.

Down in southern California, that's where the action is. Here's our old friend Bart Lytton. He wanted to get on the bandwagon [laughs] and they wouldn't let him on. I guess he probably voted eventually. Bill Goetz was for Stevenson, I'm sure--no, Kennedy. Steinberg--I don't know who he was for. I'm trying to pick out some of the obvious Stevenson votes, and there were many. I think it came out within one vote, 33-34, or 35-36, something like that.

Fry: There were 160 people on the delegation, each with one half of a vote. One hundred and fifty of those were selected from thirty congressional districts.

Lynch: That was another thing. They tried to limit "x" numbers to each congressional district.

Fry: I was wondering about the role of the CDC in all of this.

Lynch: I don't know.

Lynch: But guys who were prominent in the CDC I'm sure were the inspiration for all the Stevenson rallies that went on at the convention. I mean there was nothing ever like it. They almost tore the house down when he came in which, under protocol, you're not supposed to do. Eleanor Roosevelt got up and made a speech for him. Outside there were hundreds of demonstrators. In fact the LAPD was keeping them so many hundred feet away from the auditorium. Like every other convention, they were crashing. They had that gallery loaded. When Stevenson was nominated, I thought they would rip up the floor.

Fry: It was really pretty loud and scary? Were you worried that the whole thing might go out of control?

Lynch: Not out of control, that it might go for Stevenson! [laughter] Not that I didn't admire Stevenson. I thought he was a great man. I had some lovely days with him. I went fishing with him for three days.

Friendship With the Kennedys

Fry: Had you always been for Kennedy in 1960?

Lynch: I have correspondence upstairs from Jack Kennedy and Bob Kennedy and Ted Kennedy, going back to when Jack was a congressman. And then I had sort of a little touch for Old Man Kennedy. Before the convention my kids were in Europe, my two boys and three others. They had a Volkswagen bus. I had sent them bumper strips and all that for Kennedy. Casey, my younger son who is an artist, painted the whole side of the bus, "Kennedy." Everybody thought they were Canadians. The Italians would go, Kennedy, Canady, and Canada, Canada. [laughter]

Anyway, they stopped and visited with Joe Kennedy at his place on the Riviera. He entertained them for three or four days, gave them the beach houses and everything. Then he wrote a letter to my wife, telling how they were in good health and nice and clean, and haircuts and all that, which is typical of Old Man Kennedy. So, I was always--

I liked Adlai Stevenson. I thought he was one of the most brilliant politicians. I could listen to his speeches day in and day out. I think the greatest political speech I ever heard was the one he made at the Mormon Temple, or Tabernacle in Salt Lake City. Whtever campaign it was, the speech was magnificent.

Fry: That was in the second campaign?

Lynch: I think so.

Lynch: But I'd always voted for Kennedy.

Fry: Were you ever tempted to try to dispel people's fears of Kennedy's vulnerability in being a Catholic?

Lynch: I don't think that was an issue in any way in California--oh, probably with some of the hardheads, maybe in Orange County and places like that. Of course [laughs], Kennedy lost California. Just like anyplace else there's probably a strong anti-Catholic sentiment in certain places, not here or over in the East Bay, but in certain places in the Valley and the infamous counties in southern California, Riverside, Imperial, San Diego, Orange, and to my shock, Los Angeles.

Fry: Was Unruh head of the campaign down south? I have a note here that he was.

Lynch: Could be. I don't know.

Fry: Do you know anything at all about the campaign down south after the convention? That was where his vote was pretty weak. Some people say that southern California was where Kennedy lost the state in the general election. Is that what you think?

Lynch: He lost in Los Angeles. That has always been a Democratic stronghold, just like the old political story of upstate New York. You come down a quarter of a million votes behind as a Democrat, and you'll win in New York City. Well, it used to be that you could go behind in northern California and win in L.A. County, and the opposite was true.

That's when I had my conversation with old Joe Kennedy. I talked to him on the phone the night of the election. Roger Kent and I talked to him. Joe Kennedy phoned out to headquarters, and [laughs] I assured him that there was no problem. I told him, "Oh, Jack's a cinch," because he was ahead in northern California. "We go into southern California; the least we'll pick up will be half a million votes there." We'll knock them cold. And Jack lost. We lost the election in southern California.

There was a funny story afterwards, if you want just anecdotes. About a week later I got a phone call, and I was down in the back yard. My wife leaned out the window and said, "Telephone."

I said, "Who is it?"

She said, "It's Joe." She had the phone, and she didn't want to holler "It's Joe!" We had a dog named Joe. He had run away, and I was patching the fence.

Lynch: I said, (I used the term correctly), "If the son-of-a-bitch is smart enough to phone, tell him to come on home!" [laughter]

She hollered, "It's Joe Kennedy, you fool!"

All he wanted to do was to thank me for all the help I'd given Jack at the convention and for all the things I'd done beforehand. He was being a little extravagent.

Fry: I gather that there was a lot of money for get out the vote.

Lynch: Yes. Well, I often wonder where some of that money went. I can remember Ted Kennedy, who was not a politician in those days, used to arrive out here in northern California about once every two or three weeks during this campaign. He cost us about $40,000.

Fry: Who's "us?"

Lynch: The northern California campaign.

Then we had a big rally out at the Cow Palace in San Francisco for Jack Kennedy, a fantastic deal. We had Ella Fitzgerald and Frank Sinatra and Lucille Ball and all kinds of people like that. I had to go out there and hold the crowd while they were having a big $100 dinner--in fact, it was more than that--down at the Palace Hotel. It was northern California that put on the dinner for Kennedy, and those Irishmen from Massachusetts took all the money! We didn't get a dime out of it... [laughs]

Fry: That's why it cost you so much.

Lynch: Yes.

Fry: Because the fundraising all went back east.

Lynch: Yes, which it's not supposed to do. It's one of the rules of the game that you split the money.

I don't know what Ted Kennedy did. He didn't do a damn thing, but he did it for 40,000 bucks.

Fry: Well, one thing, in southern California there were a lot of factional disputes, as contrasted to northern California.

Lynch: There were none up here.

Fry: My notes say the official Kennedy organization was headed by Unruh, which was fighting against the group of Ziffren and Stevenson supporters and CDC, all of which was represented by Don Rose. They had refused Lieutenant Governor Glenn Anderson a post, although he headed the Stevenson drive at the convention. Does this ring true to you?

Lynch: The Unruh part does, and that they were fighting does. That part about Glenn Anderson completely amazes me.

Fry: At the convention?

Lynch: Anyplace. That's another story.

Fry: The Western Political Quarterly story thinks that Glenn Anderson headed--

Lynch: Well, they say a lot of things in there.

Fry: This was also the year that Unruh opened that trust account, where he dispensed campaign funds to legislative candidates of his choice.

Lynch: They still do that.

Fry: Were you aware of that beginning? Did it have any aftershock?

Lynch: I knew it was going on. I wasn't connected with it in any way, or concerned about it. I was still a DA then.

Fry: Was anybody concerned about it at the time?

Lynch: I really don't know.

Fry: Going back a little bit, Ed Pauley was a big pusher for getting the 1960 Democratic convention in Los Angeles. He gave some large sum of money for this. I don't have the exact figures on it, but in what I read $300,000 was one figure. He expected to get 5,000 tickets for himself to dispense. A lot of people thought maybe he was going to use these to beef up the convention for Symington, because Symington was a presumed draft choice. Anyway, I think Pat Brown also wanted some of the tickets to be able to give away.

Lynch: Oh, I'm sure he did.

Fry: There was a large, ongoing fight about the tickets. Were you a part of that? Do you remember anything about it?

Lynch: No, all I know is I had a badge they gave me. They didn't have any tickets. I don't remember that the delegates had any tickets. I can remember now that my wife was always with Bernice Brown at the convention. The governor had a box, and they sat in his box.

Fry: What I read mentioned thousands of tickets.

Lynch: I don't know anything about that, no. I know the Stevenson people got their hands on a lot of tickets--for their friends or themselves, I don't know.

Fry: I wonder if the other side planted their tickets?

Lynch: Everybody does.

Fry: What about Pat Brown's relationship with Paul Butler? He was the Democratic national chairman from 1956-1960.

Lynch: I can't throw any light on it. The only national chairman I've known well was Larry O'Brien. His offices were burglarized in the Watergate break-in. The Democratic headquarters were in Watergate, as you recall. O'Brien is another Massachusetts Irishman. It's been traditional.

Black and Chicano Participation

Fry: The other interesting thing about this campaign is that minority groups really become important. The voter turnout among the chicano community in southern California was a very high percentage. The turnout was 85 or 90 percent.

Lynch: I would say that may have had something to do with the fact most of them are Catholic. At least, they were baptized. Put it that way. They'd go to church twice or three times--baptized, married, and buried. That might have had a lot to do with the voter turnout.

Fry: Did you know Bert Geraldo here in northern California?

Lynch: Yes, I knew him. MAPA (Mexican-American Political Association) is a very interesting outfit, because you go to one of their conventions and everybody is fighting. I've never been to one--and I've gone to several--where there weren't at least three factions fighting internally to see who was going to be the next president, of MAPA, not of the United States. That's endemic with them.

Fry: I only read about the southern California chicanos. I wanted to ask you what happened.

Lynch: Bert Geraldo was statewide, MAPA. That's their organization. It's like COPE. It's a Mexican COPE. It's not labor.

Fry: Was there a pretty high vote turnout of Mexican-Americans in northern California?

Lynch: There weren't many up here in those days. That's eighteen years ago. You have to start down from Salinas on down. I don't recall.

Fry: Who led up the efforts to organize the blacks for Kennedy?

Lynch: I see some here on the list.

Fry: Yes, but I keep running across names like Cecil Poole and Daniel Collins and Byron Rumford and Carlton Goodlett. Were any of them active in--

Lynch: I'd say Cecil Poole was, and Byron Rumford. Carlton Goodlett is a very self-centered guy who might have been for Kennedy if he had wanted to be ambassador to Africa; that is, all of Africa. He's that kind of a guy. Who's the other one you mentioned?

Fry: Reverend Haynes and some of the ministers.

Lynch: He would get out the vote here in San Francisco among the Baptist congregation, which is large. In Los Angeles that is a very important factor. The black ministers in L.A., who are maybe 90 percent Baptist, are a very strong group. They have no hesitancy whatsoever of getting up on a Sunday before elections and telling the congregation how to vote.

Fry: You were about to say something about Byron Rumford?

Lynch: He would have been influential. Byron was a political figure. The fact that he let it be known he was for Kennedy would pull a lot of weight in the black community.

You've got Roz Wyman. She was a city council member. She was taking a place for her husband.

I'm trying to pick out a couple of prominent blacks that I know. A lot of that influence can rub off. Byron Rumford was very well known in the East Bay, he had a lot of prestige, and I'm sure he brought out a lot of black votes. Ed Day--he became postmaster general. Artie Debs. Another group you had to put on the delegation was always the Democratic congressmen. Here's another moneybag in northern California, George Killion. Joe Eichler at that time was riding the waves of--

Fry: He was a builder.

Lynch: Yes, very nice, and first-rate. George Johnson--I believe that he was a Greek.

Fry: Was there a Greek community in San Francisco?

Lynch: No. If there was a community, like everybody else it may have had a leader, like George Christopher, and half would be for him and half of them would hate him. I never knew whether Peter Boudoures, who

Lynch: considers himself a Greek leader here in San Francisco, was for George Christopher. I would say that probably every odd day he was. Boudoures was that kind of a fellow.

I would guess that probably Phil Burton was for Stevenson. Probably Ann Alanson--was Ann for him?

Fry: I don't know.

John Kennedy Chooses Lyndon Johnson for Running Mate

Fry: What did all this mean for Pat Brown when the convention was over and done with?

Lynch: I would say that he was somewhat in the doghouse with the Kennedys, with the national administration.

Fry: Was he ever promised anything by the Kennedys, like an ambassadorship or anything else?

Lynch: No. He wanted one. He would have liked an ambassadorship. Pat was then in his second term. I think he would have liked to have been an ambassador.

Fry: No, in '60 he was still in his first term. He was elected in '58 the first time.

Lynch: I think it would have been attractive for him. Maybe he thought it over. He might have changed his mind, because it involved a heavy financial burden which at that time I'm not sure he could maintain He could do it now.

Fry: Did you work in the general election itself?

Lynch: I made a lot of speeches for Kennedy in the northern part of the state. I sat in on so-called strategy meetings. Yes, I had a reasonably low, but meaty, profile because I was working as district attorney.

Fry: Who do you remember specially working with in strategy sessions?

Lynch: I'd say people like Bill Roth, Bill Orrick. Orrick was very close to the Kennedys. He was very close to Bob Kennedy later. Remind me to get around to that.

Fry: Yes, we're just about to go into that.

Lynch: That's four years later.

Fry: Do you remember Lyndon Johnson coming out?

Lynch: I remember him because one of the features of the 1960 convention was the head-on collision between Johnson and Kennedy. Johnson was going full bore. They each had a big meeting of the California delegation, plus assorted hangers-on, I guess--I think it was the California delegation, I know we were there. It couldn't have been the whole group, the halls weren't big enough. They both addressed the California delegation. (They addressed others, too.) That was one of the highlights of the inner circle business.

Fry: What happened when they addressed the California delegation?

Lynch: Nothing. You just get to meet the candidate. They were trying to get votes. It was almost hopeless, but you have to go through the motions anyway.

But later on, after Kennedy had been nominated, we were all up in a room that we had where we used to meet, and meeting there were the constitutional officers. Now, that was Brown, Bert Betts, Alan Cranston, Glenn Anderson. Hale Champion was there. I'm not sure whether Dutton was there. I was there. I was the only one that really didn't fit. I think that really kind of points out how close I was to Brown.

Somebody came from one of the other rooms--it was a big suite--and Pat was wanted on the phone. This time we knew that the vice-presidential choice was made. Of course, there were a lot of volunteers. The phone rang, and somebody went and called Pat into the other room. [laughs] I'll never forget this. He walked back into the room, and said, "Well, the choice has been made," or words to that effect.

Everybody was saying, "Who is it?" This crowd was a Stevenson crowd really, now that I think about it. At least, whether they voted for Kennedy or not, they weren't for Johnson.

He said, "It's Lyndon Johnson." [laughs] Pat will probably tell you, but he and I discussed afterwards that we should have gotten over by the windows to keep these guys from jumping out the window. Well, there were a couple of candidates there.

Fry: Who?

Lynch: Brown would have been one. It was a question of trying to get a Californian, that you wanted a Californian on the ticket. It's the old story of East and West. I'll never forget that, or forget the look on Pat's face when he went to the phone. I guess it was Kennedy who called him. It might have been Larry O'Brien. So, then we all went home.

Fry: Do you know anything about the possibility that the Stevenson campaign mounted in California was really a stalking-horse campaign for LBJ, run by Senator A.S. [Mike] Monroney in Oklahoma?

Lynch: I don't know a thing about it. I never heard it before. No, I don't think that at all, unless it was done without the knowledge of Stevenson, because he was a candidate all the way up Market Street.*

Lynch Chairs the Uncommitted Delegation, 1968##

Fry: Let's take the 1968 presidential campaign in California. How did you get to be chairman of the delegation?

Lynch: I'm not quite sure. All of a sudden I was. I think there were some behind the scenes things that went on with Brown and Johnson. Whether or not Brown didn't want to actually be the chairman of the Johnson delegation, I don't know, but I wound up as the chairman.

Fry: How did you find out you were?

Lynch: I believe Pat Brown told me.

Fry: Was he the most important Democrat in the state then?

Lynch: Oh, yes.

Fry: Although Reagan was governor then.

Lynch: Yes, and I guess I was number two, outside of the fact that Unruh thought he was number 1A.

Fry: But you had the highest statewide office.

Lynch: Outside of Brown.

Fry: Brown wasn't in office.

Lynch: Oh, that answers all the questions. I was the obvious choice. I was the only Democratic officeholder. So, away we went. Actually, I was sort of a co-chairman really. I was the chairman, but I worked very closely with Charlie Warren in southern California. Also, when we sat down for meetings Pat Brown played a pretty important part, because he had suggestions to make, which he probably should. He knew more people that I did. I didn't know many people.

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*"An old San Francisco expression." [TL]

Lynch: Johnson had an emissary always showing up, Governor [E.T.] Breathitt. He was the governor of Kentucky [1963-68]. He was Johnson's man who would run out here to California [laughs] every time we had a meeting. He carried messages back and forth to us as to who should be on the delegation. There was a lot of bickering going on, in a way.

I wouldn't have put some of these people on the delegation. Number one, Yorty was at outs with everybody, and Yorty wanted to get enough people on there to really have a big chunk of votes in the delegation. Pat Brown was adamant that Yorty wouldn't get a single vote, because Yorty had come out against him and for Reagan in 1966.

Fry: Yorty also came out for Nixon the last time Nixon ran for president.

Lynch: So Yorty was to get no delegates, and that was final. Charlie [Warren] and I went back to Washington, met the president, talked over the situation with him, and told him that as far as Pat Brown was concerned he didn't want any of Sam Yorty's people on the delegation. That was fine with Johnson. Whatever bickering was going on went on and on.

Later Charlie and I were back in Washington, and [laughs] we went to see the president. As we were leaving, I remember Johnson put his arm around the two of us. He got in between the two of us. He says, "Oh, give old Sam a few delegates." So we went back and we gave Sam a few delegates. [laughs] After all, when the president speaks, the president speaks.

But I think we must have made a half a dozen trips back there to discuss the delegation with Johnson. He had names of people, and some people I never heard of. I'm sure some of them are here. [referring to list] I never heard of, for example, Russell Crowell or Skipper Rostker. I don't know a lot of these people. The names were put in there. Johnson sent them out through Breathitt. He had all kinds of suggestions. A couple of times I told him to go fry it in fresh country butter because we weren't about to accept his suggestions. It was "Yes, you can do this; no, you can do that." Charlie and I both soon got pretty tired of it and just told him, "You mind your business. We'll mind ours."

Fry: Who was Johnson taking local advice from?

Lynch: I don't know. I would say if he was taking it, he was taking it from the moneybags, what I call the power brokers, because I think that's the language he understood. He was not going to take advice from, oh, Vernon Kaufman, whom you probably know, or from Jim Rudden or Terry Francois or people like that. He'd go after the Pauleys,

Lynch: the Warschaws, and the people of that stripe who were prominent Democrats, who had lots of money, and who put lots of money into political campaigns. I don't see their names on here. I'm sure they're here though.

If you ever cross-examine these lists, you'll find that there are--I think they should be here--some defectors, people originally selected for the Johnson delegation. I see Cesar Chavez on the Kennedy list. You can see here that Jesse Unruh, Tom Carvey, Libby Gatov, Bill Orrick--

Fry: You're reading from which list?

Lynch: The Kennedy list, the Unruh delegation. I see Louis Warschaw's name here. He's a money man. I'm sure that Warschaw had a lot to do with Johnson's thinking. Maybe I'm giving him too much credit. There are other people, without going through the long list.

Fry: Are you saying Warschaw was a defector?

Lynch: No, I'm not. I'm saying that he's the type of person, if he was on our group, he'd have a lot of influence. I'm using h m only as a symbol. But, who did we have on here that would be like that? Let's see. Well, you've got Lionel Steinberg, for one. I don't see too many on here.

Fry: It's not clear to me who they would defect from and to.

Lynch: Some people--I don't know if they show on the list--we had originally picked for the Johnson delegation. Mind you, this all started before Robert Kennedy had announced that he was going to run and after he had said that he was going to support Johnson. He made a speech in New York.

Before I got into this, I had breakfast over at Bill Orrick's house, Bill Orrick, Tom Lynch, and Bob Kennedy, just the three of us. We talked for an hour or more, maybe two hours. Kennedy never at any time indicated to me that he was going to run. If he had, I would not have supported Johnson. I felt pretty upset about it afterwards because I thought Bob Kennedy would tell me. I don't know whether Orrick knew at the time that Kennedy was going to run. He probably suspected he might. And I knew Bob Kennedy fairly well. He did not indicate to me in any way that he was going to run.

Fry: Did Kennedy say for sure he was not going to?

Lynch: No. I don't understand it, because he knew that I was--for want of a better expression--a Kennedy person. I had nothing in common with Johnson. I'd only seen him once in my life, had never met the man, was not a great admirer, really. But, he was the only game in town.

Fry: Were any of the moneybags withholding their support from Johnson because of the Vietnam war?

Lynch: Oh, yes. A lot of them, I'm sure.

White House Conferences With President Johnson

Fry: Did you have any part in discussing this with Johnson when you went back to Washington?

Lynch: No, we merely discussed the makeup of the delegation.

California at that time had a representative--I guess they still do--in Washington. Then he went over to the White House.

Fry: The State of California lobbyist.

Lynch: Yes. Then the one who had been the lobbyist moved over into the White House with Johnson after Jack Kennedy was shot. I can't think of his name.

Fry: Oh! Yes, I know who you mean. I talked with him briefly the last time I was in Washington.

Lynch: We would stop in and see him. It always amazed me, the way we'd go in and out of the White House and nobody paid any attention to us. We'd walk right past reporters. We were a story, for better or for worse. We walked right past the reporters and would stop off with this fellow who represented California, Herb something. We'd go down to the Oval Office. We'd sit there--I've got pictures of it as a matter of fact--with Humphrey and with Johnson and talk California politics.

Johnson was very outspoken in his opinion of people. I don't recall specific opinions, but some people were bastards, and others were good guys. Or, "I don't want anything to do with that so-and-so." He was very specific many times. I think Charlie [Warren] and I must have made a minimum of three, maybe more, visits.

One time we sat upstairs. It's actually a room, but it's the hallway on the second floor. It runs the whole length of the White House. We sat up there down at the end. I recall that very vividly because while we were there somebody came in with a telegram saying that a Delta Airlines plane had been hijacked (to fix the date). Johnson just looked at the telegram and said, "Hmm." He told us what was in the telegram. But anyway, that went on. You didn't know where you stood, really. You wondered, "What the hell is going on?"

Fry: Talk about no control of the delegation, you really didn't have control of yours in '68, did you?

Lynch: No, you didn't. No control.

Fry: Were there people in the delegation who had stronger lines to Johnson than you did?

Lynch: I'm sure. Now, I've got the list here of the delegates. You've got Charlie Luckman, a big financier, on the Lynch delegation. I think he's a builder or a banker in Los Angeles. You've also got Lew Wasserman, the head of Universal Pictures. He had a key to the White House, I'm sure. Right below him is Ed Pauley. Going a little bit down the line is Gene Klein. He's the president of Music Corporation of America, one of the biggest outfits in L.A. Here's Walter H. Shorenstein, here in northern California. Now these are--Adolph Schuman, Cyril Magnin, Benjamin Swig. You had on this delegation all of the money weight in the Democratic party. I'm sure there are lots more. Some of them I don't even recognize.

Fry: Did you try any fundraising yourself for this?

Lynch: I've never done any fundraising, not even for myself. [reading from Lynch delegation list] Carmen Warschaw, representing, of course, her husband. Clarence Martin--I wonder if that's Dan Martin. Here's Mark Boyar: he's Mr. Moneybags in Los Angeles; he's got Union Trust Company in L.A. Joyce Fadem was originally picked, I'm sure, to be on the Johnson delegation, and she dropped out.

I'll try to pick out some more here on the list that represented a lot of money, but the ones I mentioned represent, I think, a lot of money. There's certainly not anything comparable that finally winds up on the Kennedy delegation. You have mostly, I would say, a lot of political types, Trudy Owens, Shirley MacLaine. Pat Brown wanted her to go on the Johnson delegation; I remember that. So, it just sort of struggled along.

Johnson Announces He Will Not Run

Lynch: Then came [laughs], as one of my colleagues used to say, the zinger. I'm sitting here, just having enjoyed my dinner one night. About twenty minutes after eight--and I recall it very distinctly--I got a call from Washington from one of the fellows I used to see around Washington at the Democratic headquarters. I've forgotten his name. It's easy to forget because he disappeared from the scene and I've never heard of him since. He said, "Turn on your radio. Johnson is

Lynch: going to announce at 8:30 that he's not going to run." I didn't collapse. I called Ann Alanson, Ann Eliaser--she was Ann Alanson then and we're very, very close friends. I called Ann and told her and just sat and listened.

Fry: [laughs] Was this the last thing you would have thought of at the moment?

Lynch; Yes. I thought that he would have cooled it off a little bit. But we were just going hucklety-buck, doing the best we could. So, then comes the odd part of the story. Then you get into Humphrey.

Fry: When LBJ announced he would not run, on March 30, 1968, what shape was your campaign in compared to any of the others? Bobby Kennedy had announced his candidacy on March 16. McCarthy had won the New Hampshire primary. He was just about to win in Wisconsin, but nobody knew that then. He won Wisconsin on April 2, 1968. So, as of March 30, what was your assessment?

Lynch: We thought we could raise a lot more money. Kennedy coming to California to run in the primary certainly raised the thought that he could win a delegation. But Kennedy wouldn't have this delegation, which had practically all the congressmen and a lot of the members of the legislature, because they all wanted to be on a delegation with the incumbent. So, you had all of those.

You have an awful lot of people on the McCarthy delegation. I see you have the McCarthy delegation list here. You could go through these lists and pick out the few--oh, like here's Richard Richards in the McCarthy delegation. I've often wondered what happened to him. He's never been heard from since. Judge Isaac Pacht was on the McCarthy slate. He wanted to get on our delegation, I think, and nobody wanted him. He's too noisy. He's a very assertive old guy. June Degnan was a McCarthy delegate. Here's Joe Eichler. He lines up with McCarthy. John Burton does too, but that's the old Burton trick. I'm sure Phil was on one of the other slates. They always like to split their endorsements. They even split them when I ran in 1966. I didn't want either one of them, but unfortunately I wound up with one of them. Joe Ball is on the McCarthy list. Now that's an interesting--

Fry: Pat Brown's present law partner?

Lynch: Yes. Let's say Pat is his partner. Joe Ball is a very successful lawyer. He was on the Warren Commission [President's Commission on the Assassination of President Kennedy, created Nov. 29, 1963]. He's been explaining it ever since.

You had Alan Sieroty on McCarthy's slate, but he's a left-wing legislator. John Burton--I don't see Phil here.

Fry: Overall, it sounds like CDC people.

Lynch: That's right. I would say they are. Except there were some CDC people in the Kennedy delegation too. It had Bill Coblentz, Libby Gatov--not necessarily CDC. Edna Mosk, who was representing Stanley Mosk, was on the Kennedy delegation. Bill Orrick certainly isn't CDC. Max Palevsky, also on the Kennedy list, is a very interesting guy. He's a very wealthy man. I don't know him--never had anything to do with him. He lives in Los Angeles and puts lots and lots of money into campaigns, but not in our time.

Fry: Which campaigns?

Lynch: Jerry Brown, for example. I don't know what he does; I did know. Paul Ziffren was on the Kennedy slate.

Fry: Would you guess that Ziffren put some money into Bobby's campaign?

Lynch: I'd suspect--well, now wait a minute. There wasn't a campaign at this time. When was Bobby killed?

Fry: Bobby was killed June 4, the night he won the California primary. So there was a Bobby Kennedy campaign in California.

Lynch: He was nominated, yes. His delegation won, but there was no Bobby Kennedy. So there was no money to be raised.

Fry: Right. But, didn't he raise money for the primary?

Lynch: Oh, they raised money for the primary, yes. I'm sure that Palevsky put money in, and Kennedy also got Lew Warschaw, Paul Ziffren. These are money people. As a matter of fact, it's a contest between the southern California Jewish people with money, and northern ones. You've got Mo [Morris] Bernstein from northern California on the Kennedy list. I'm just picking out people I know who had money. Manny [Manning J.] Post, southern California. Manny was unfortunate enough to be the only Volkswagen dealer in southern California when they first came out. He's made lots and lots of money. I see here on the Kennedy list Ruth Berle, who's just a political activist (that's Milton Berle's wife); Mervyn Dymally, and Joe Wyatt. They are not money people. There are some names in the list that I don't know. Tom Bradley and Yvonne Brathwaite--a lot of blacks on the Kennedy delegation. I don't know the rest of them. There are some interesting people who got into the McCarthy campaign.

Fry: Renew my memory on this. When Bobby Kennedy entered the presidential race on March 16, you must have already had your delegation pretty well gathered, right?

Lynch: That's right.

Fry: So, where did Kennedy get his delegates? Did any of yours leave?

Lynch: Oh, you could go out and get fifty slates if you wanted to.

Fry: I wondered if any Kennedy delegates came from your delegation.

Lynch: Looking at the Kennedy people, I can pick out a number of them who would not, under any circumstances, support Johnson. They wouldn't get on the original Johnson delegation. This was going to be a delegation that would be a free-wheeling delegation. There were a lot of people who were left over, who were available for the picking.

Then the Kennedy people picked out some pretty good delegates. A man like Lou Warschaw just wouldn't want to get in a Johnson delegation. Paul Ziffren probably hated Johnson. Agar Jaicks was a pretty liberal Democrat. Willie Brown, Phil Burton, Roger Boas, George Moscone were on Kennedy's slate.

Fry: Those are all people disenchanted with Johnson.

Lynch: Well, they weren't picked; let's put it that way. Bob [Robert W.] Crown, who was mad at everybody--if you knew him.

Fry: They were on the Kennedy delegation because at that time there was nowhere else to go?

Lynch: It wasn't "nowhere else to go." Most of them didn't want to get on the Johnson delegation, I'd say. I'm looking at the type of people Kennedy had on his delegation. He had Herb "Speedy" Neuman, whoever he is. Cesar Chavez--I'm sure that Johnson wasn't very fond of Cesar, and Cesar wasn't fond of Johnson. You had Ruth Berle. It was pretty much of a liberal group. Tom Reese--whatever happened to to him? Barbara Schlei--she's the wife of Norbert Schlei. He ran for something, I think.

No, there were lots of other people available to be on delegations. Your picking is pretty well restricted because you've got to have somebody from almost every county, or you've got to try and get your congressman, your assemblyman, your state senator. By the time you get through with them and the head of the central committee in the district, pretty soon you're only down to the free ones, and there aren't many.

Fry: So, had your delegation pretty well cleaned off the incumbent types?

Lynch: I would say so, yes. There are very few here, very few. Phil Burton was not in Congress at the time. Just running over the Kennedy list very, very quickly, I don't see any congressional types; whereas,

Lynch: you'll find a lot of them on the Johnson delegation. We even had Joe Alioto and Jimmy Roosevelt. Oh, here you are right here. The Lynch (Johnson) delegation had Cecil King, Chet Holifield, Gus Hawkins, Jim Corman, Ed Roybal, Charlie Wilson, Ralph Dills, Tom Carrell, Alfred H. Song, and George Danielson, just for starters, and also Lionel Van Deerlin. I'm sure there are some more officeholders scattered through there. So, you had the congressional types.

Fry: What did you do after Johnson's announcement? Did you gather the flock together to see what you could do?

Lynch: No, I don't recall we did anything special. Johnson was out. I just figured the ball game was over. Then this Humphrey business started.

Humphrey Bows Out of California Primary

Lynch: They've got the quote in the Western Political Quarterly that Unruh really gave me the boot when delegations came up for election. A couple of strange things happened. I was ill, which wasn't unusual, and I was in the hospital. I don't know what it was for. I've had so damned many of them. I had some kind of an operation. Two guys came to see me. One of them, I know the man, but I can't think of his name. But I remember the other one. It was Al Barkan. [tape off briefly] The other man was very close to Humphrey. I knew him and I knew he represented Humphrey. Al Barkan at that time--I'm sure I have the right name--was the national head of COPE, which is the committee on political education of the AFL-CIO. They came to my hospital room. We had a very pleasant chat. They were very solicitous about my health, which was not the reason they were there.

We finally got around to business, and the business was that Humphrey did not want to be thrust into the California primary, because it was a loser. There were several problems. Number one was it probably wouldn't be possible to convert all of these people on the Lynch delegation to Humphrey delegates. Humphrey didn't want, I'm sure, to take the risk of losing in California, because he was a late starter and he had plenty of time, picking up enough nominations some place or other, to get into the general election as the Democratic candidate. In other words, he was counting on--I only guess at this; it's a pretty good guess--coming out at the convention. Why lose California along the road? So, that was okay with me.

I had no place to go, so I went to Hawaii. I went on to recuperate. That's my R & R place. While I'm over there, the damndest thing happened. There comes out a big ad in the paper--I

Lynch: don't know whether you've seen this ad--a full-page ad with my name on it asking the voters to vote for the Tom Lynch delegation. I did not authorize it. I didn't know a damn thing about it. This was before Bobby Kennedy was killed, of course. I don't know whether the ad said the delegation was pledged to Humphrey or not, but that was certainly the inference. Now, I don't know who the hell did that. I think Tom Saunders and some of these other professional types did it.

Fry: That was in the California papers?

Lynch: Yes, and Bob Kennedy replied to it. It was one of these full page, "Dear Tom" things--this big. "You're a great guy," or something like that, "but--" It's like one of the little things when they wanted everybody to vote for old Hurley the bartender down on Third Street. The newspapermen put a big sign up, "Get up early and vote for Hurley." And he said, "Don't be misled. Stay in bed." It was one of those things. Here I am over in Hawaii and unable to defend myself. I had nothing to do with it whatsoever. I was madder than an boiled owl. Thay's what happened.

Fry: Who did you personally want after Johnson dropped out?

Lynch: Bobby Kennedy.

Fry: Had you always preferred him to Johnson?

Lynch: If Bobby Kennedy had announced in time--after all, he waited till the last minute.

Fry: Yes, after the New Hampshire primary.

Lynch: That was one thing. If he had just waited, I probably wouldn't have gone for Johnson.

Fry: You mean if he had announced it earlier?

Lynch: No. If he hadn't made the statement that he made in New York. He said--whether directly, but certainly very indirectly or close to directly--that he was not going to run, and that he would support Johnson. Then I sat with him, just like I'm sitting here with you.

We were friends. I'd done little favors for him. I got him a car one time so he could go up to Bohemian Grove. I had the car driven out to the airplane and turned it over to him. I got it for free. I've got a whole flocks of letters that he had written me, letters from Jack and Bobby Kennedy. I've got their books they've sent me. I'm glad this won't come out for a long time, but I think I was the one man in California that they believed was a real

Lynch: Kennedy person, and I was. I knew Ted; I knew Bob; I knew Jack. I'd been to the White House. I knew Kenny O'Donnell. I knew Larry O'Brien. And when I say I knew them, I just was more than, "How are you, Mr. O'Brien?" And he knew me. People won't know in antiquity. As Baretta says, "And dat's de name of dat game." That's the end of that story.

Fry: Then, by the time you got back from Hawaii, Bobby Kennedy had been killed?

Lynch: No, I was back very shortly because they had this big ad. This is just before the primary. I couldn't tell you exactly when. I probably could find it out if I went through old books.

VII CALIFORNIA'S CHIEF LAW OFFICER: AN OUTLINE OF THE ATTORNEY GENERALSHIP

[Interview 5: June 15, 1978]##

Organization of the Staff

Fry: How could you describe the attorney general's job in general?

Lynch: If you're describing it to a group of lawyers, you tell them about the legal facets of the office. If you're talking to a group of law enforcement officers, you would tell them about the law enforcement phases of the job. If you're talking to public relations men, you tell them about that phase of the job, because it is a part. As attorney general you just don't sit quietly and think up things and file them away in a drawer. You come up with a program or a decision or give an opinion, and you have to publicize it. You have to get it out to the public.

Then again there are many, many side bars to the job that people just don't realize. You are making speeches to everybody and his brother. Some of the speeches are, you might say, compulsory. You have your local bar association, You have your local service clubs. You have the state bar association. You may go to the national bar association. You have your local law enforcement agency, your attorney generals' conventions. You have your regular meetings, which you can call in, at any time you want to, of district attorneys. There are so many DAs and they are so widely spread in California, that you have to do that in sections. You do the same thing with sheriffs and the chiefs of police. The congressional committees coming here to California and the legislative committees in California all require your appearance. I would say that without any doubt it's a sixteen-hour-a-day job. And there is no peace.

Fry: The attorney generalship cuts across all aspects of state government, actually.

Lynch: That's right. You can't escape it. It follows you wherever you go. For example, it followed me into hospitals. It followed me whenever I went to Washington. It followed me to Hawaii. It followed me to Hong Kong, of all places. Newspapers don't care where you are. A reporter has got to go ahead to get an answer to a question. He'll find you wherever you are. It gets pretty worrisome.

But, it's exciting. California has the largest and the most comprehensive attorney general's office in the United States. I don't think there's any that compare with it. Number one, because we do handle the state department of justice, where we have the most complicated and intelligent, let's say, computerized crime detection and crime information system in the country--next to the FBI--probably in the world. The attorney general is in charge of that. You have the state narcotic bureau. You have the bureau of criminal statistics. There are many, many side bars, and they're all under your jurisdiction. It gets pretty tough sometimes to answer questions concerning all of these enclaves.

Fry: I was puzzled about the relationship of the department of justice to the attorney general because it's not listed on charts in the fifties. I suppose it was the same in the sixties.

Lynch: The department of justice wasn't in existence. It was just beginning in those days. Now the department is the department of justice, and the attorney general is the head of it, the whole department.

Fry: You're the head, but the department of justice and the AG's office are separate. Is that right?

Lynch: No, they're not. Well, the department of justice has their own internal organization, yes. But they come up the ladder to the man who's directly responsible to the attorney general.

Fry: How is it parallel to other things in the attorney general's domain?

Lynch: It's like any other large organization. In a private corporation you'll have an input department and you'll have a sales department which all head up toward one place.

Fry: But that's not the way that I saw it drawn. Does the department of justice have the same relationship to you as your criminal statistics bureau and the other things that are under you?

Lynch: No, they are all separate till they get to the top.

Fry: So, they are all parallel.

Lynch: Yes, they're all parallel. They operate within themselves, but they are responsible to the hierarchy in the attorney general's office. I had a man who was directly responsible to me, Bud Hawkins. Bud Hawkins was head of the state department of justice. I had a man, for instance, the head of narcotics, whose name I've forgotten. But, in addition to him, I had a man in each of my offices who was a head of the local narcotic division. He was answerable to my man in Sacramento.

Fry: Those AG offices were where?

Lynch: San Francisco, Los Angeles, Sacramento, and now I assume San Diego.

Fry: You didn't have San Diego in your tenure?

Lynch: We had just installed it in the last year I was in office. I had two men there. Now I assume they've got ten or fifteen.

Fry: How many people did you have in all?

Lynch: I'd say close to 1,000. There were around 200 lawyers. It's probably closer to 300 now. Of course, there was the clerical staff to go with the lawyers and the heads of department. I've got some pictures upstairs. In fact, I have one that's as big as that cabinet, almost, that shows the whole staff in the various offices. We had a whole building in Sacramento devoted to nothing but keeping records. In fact, [laughs] it was an old cannery.

Fry: This is criminal records, too?

Lynch: That's right.

Fry: You mentioned you wanted to explain the meaning of the California attorney general as the state's chief law officer, rather than as the chief law <u>enforcement</u> officer.

Lynch: That's correct. Every candidate or pseudo-candidate or hopeful candidate describes the attorney general as the chief law enforcement officer. Some attorney generals have done that--Bob Kenny for one. (I think he always wanted to be a cop.) But that's not the legal description. It's not actually the duty list of the attorney general. You do have law enforcement powers, but they are restricted. You do not have the initial right to be the law enforcement officer in any given area. You only have the right to step in when you are requested, number one; or number two, when the district attorney or the sheriff--not the chief of police--fails or neglects to do his duty. You, I guess, are the judge of that.

Lynch: The usual case would be a man who just completely neglects his duty by being drunk all the time. We've done that. We've stepped in in other instances where requested. We stepped in for Evelle Younger when he was district attorney of Los Angeles, because one of his deputies murdered his wife. It would be a little untidy [laughs] for Evelle to be prosecuting his own deputy. We stepped in in the Angela Davis case over in Marin County for two reasons. One, the district attorney asked us, and number two, with the staff he had he was not capable of trying the case. He had too much to do. Other places we stepped in because someone requested it, sometimes maybe by the grand jury because the district attorney was incompetent. That's been done.

Fry: How did you discover when a district attorney wasn't doing his job? How would this come to the attention of the attorney general's office?

Lynch: Number one, from our own department of justice people, who were in and out of these places all the time. The sheriff would report, say, to one of our departments, or the chief of police would report, or the grand jury would report, or the board of supervisors, or the mayor. There were many, many avenues by which you could get that information. Or from other district attorneys. [laughs] Or by looking at them.

Legal Opinions

Fry: I thought maybe this title of chief law enforcement officer might pertain to the power of the attorney general's ruling. I have been told by some people that in California the attorney general's rulings and opinions-- Maybe it's just the opinions. I'm not sure about that.

Lynch: The opinions.

Fry: That the opinions have more power than in any other state.

Lynch: I'm sure they do. They rank below the district court of appeal's opinions. They rank higher than, for instance, a superior court judge's opinion, or a muni court judge's opinion.

Fry: They have greater weight than the superior court judges' opinions?

Lynch: Yes, indeed. They are quoted by the courts, by the U.S. Supreme Court and by the appellate courts. They are even quoted by other states.

Fry: Did you say superior court judge's "decision" or "opinion?"

Lynch: Opinion, an opinion he might give, or the appellate division of the superior court. If there is any ranking, it's been said that they rank just below the district court of appeals. In some cases I'm sure opinions from the California AG's office have been taken by the Supreme Court as better than the district court of appeals. They are very well-considered opinions. There's a lot of work that goes into them. The average opinion will have a file, I'd say, from 1 1/2 to 3 inches thick.

Fry: How did you gather all of that information from your staff? How is that organized?

Lynch: Your staff is organized, obviously, into two divisions, criminal and civil. The criminal, that's pretty well stereotyped. First of all, you handle all of the criminal appeals for the district attorneys in the state. They don't handle their own. So, that takes up a big part of your criminal division. You also have men who are working with our own criminal enforcement agencies--narcotics and the state special agents.

The civil division is more complicated. That's divided into various categories, units. You have a consumer fraud unit. You'll have an antitrust unit. You'll have a charitable trusts unit. You'll have a business and corporations unit--many, many. There's a head of each one of those divisions, who is responsible to the chief civil deputy. The men in the criminal division are responsible to the chief criminal deputy. Both he and the chief civil deputy are responsible to the chief deputy and to me. So, you go, one, one, two. Then you spread out and down into the lower levels.

Fry: In the pyramid.

Lynch: An opinion, first of all, is classified by the chief civil deputy--if it's for a civil opinion--as to what division it would fall into. It's given to that division, and it starts with some of the lower men in that division who do the research. They look up all the law that might pertain to it, and then they pass it on up to their chief. He reviews it. He doesn't have to do the leg work. It's similar to what's done in the courts, the appellate court system. They're better trained than law clerks, but it's law clerk work. They give their opinion, and that's passed on by the head of their unit. Then it goes from there to the chief civil deputy. With that file they prepare all of the authorities, and there may be divergent opinions.

There's no question that you have to suit the opinion to somebody else's opinion; you express exactly what your opinion is. Many disagreements come through in these opinions. In other words, with five or six young fellows in the division, maybe three of them will

Lynch: agree as to one course of action and two will disagree. Then it goes to the head of the division. He puts his signature on it after he reviews it.

Fry: Does he make a decision?

Lynch: Oh, yes. He approves it.

Fry: How? By sheer numbers, that it's three to two, for example.

Lynch: No, he approves either the negative or the opinion, whichever he thinks is the better opinion. He passes it on up to the chief civil deputy. He does the same thing. The chief civil deputy passes it on to me. I review the whole thing, but I don't have to review the authorities and everything. If I see something that puzzles me, I go back to see why did he jump to that conclusion. If I agree, I sign it. It then goes out as an opinion.

If I disagree, I send it back and tell them why I'm sening it back, that I don't agree and I'd like to have them go into it more deeply. I've had those come back to me over my disagreement, and they have to convince me--let's put it that way. The mere fact that I disagree doesn't get anybody to change their opinion. Sometimes it might be wrong, and they've forgotten a case, for example, that I happen to remember. Then it is published, and only then. All that is published is the opinion itself, but the material is available on which the opinion is based.

Fry: To the public?

Lynch: Anybody, yes. It's in the file.

Fry: Is this primarily an adversary method then? Is that the way that you use the men who are working on it?

Lynch: No.

Fry: Are they working as a research team?

Lynch: They are research people, and lawyers will come to different opinions. That's what makes lawsuits. I wouldn't want them to all agree. I'll tell you, there are two reasons to ask for an opinion, at least two. One is because a person doesn't know the answer. Number two is that the question has never been asked and there's an obvious answer, but they want it in writing. You could answer some of them yes and send them back to the person.

They aren't all published opinions. Some are merely requesting--we had another expression for them. We called them an indexed letter. Those were for a person's personal--not a personal, I shouldn't say that--a person who is entitled to an opinion. Only certain people were.

Fry: Like heads of agencies?

Lynch: Heads of agencies, legislators. For example, a person in city government is not entitled to one, because they have their own city attorney. But, the city attorney could ask for an opinion. In other words, a supervisor couldn't ask the attorney general.

Fry: But the counsel to the supervisors could.

Lynch: That's right. That's his job. With the indexed letter, we furnished what amounts to an opinion, but it is not a published opinion because it's merely for his own guidance. But it's on file.

Fry: Is it available to the public?

Lynch: Yes, not to just come in and rummage around, but they can request it.

Fry: We'll get into the specifics and get some concrete examples of all this. I was wondering what you would do in a case like this: Attorney General Evelle Younger just assigned a man in his office, Willard Shank--

Lynch: I know him well. He worked for me. He's head of the Sacramento office, I think.

Fry: Younger asked Shank to write an anti-nuclear energy expansion opinion on the current question of whether or not a nuclear plant should be built.

Lynch: That's not an opinion that he asked him for. It's a brief, wasn't it?

Fry: No.

Lynch: Well, I don't know what he's doing. If he's asking for an opinion that's to say something--

Fry: He asked for an opinion which was contrary to what his other deputies had come up with. In other words, the other deputies had come in with the conclusion that no more nuclear plants should be built, particularly the one down south.

Lynch: If that's what he's doing, he's asking for an opinion requested by himself. In other words, "You do the work for me. I want to publish a brief saying why I am against nuclear proliferation," or whatever it is. He's writing a speech for him. It's not an attorney general opinion.

Fry: I'll bring you the newspaper story and see if it was an opinion.

Lynch: Well, it's wrong. That shouldn't be done. You don't ask any of your deputies to write something that--Willard Shank might believe in it, but if the other peole have already written one that's against it, it's the opinion of the office that that should be the opinion. I don't know what the hell he's doing.

Fry: I can see how an attorney general would be in a difficult spot in a highly volatile political issue like that, where you have a commission, as he did, that was on what he considered to be the wrong side of the question, and this was thrown to him to issue an opinion on it.

Lynch: No. No, ma'am. You may not agree philosophically with something that's going on, but your opinion has to be a legal opinion based on the law. You can't put in your own philosophical thinking on it. You can, if you want to, but you shouldn't. That's not the reason for an opinion. Opinions have gone out of my office that I'm sure I didn't agree with philosophically, for example, morally or religiously let's say.

Fry: There's one other general question that I wanted to ask you. Some say that an attorney general's office can be run like a huge law office to handle the state's executive departments' legal questions--like your being their counsel primarily. Others put a lot of emphasis on self-generated, office-initiated activities and issues such as ferreting out consumer frauds and constitutional rights violations. Is this an "either-or" thing?

Lynch: No. Number one, you can't be the attorneys for all the departments in the state. That's ridiculous. You'd have to have an office that would be absolutely a monstrosity. The departments have house lawyers, which they need. You can't waste the time of the attorney general's office. I say that deliberately, because these are highly trained people and you can't waste them on a lot of petty junk that comes up every day in the water department or the departments you never even heard of. You know, "Can we buy the three-cent stamps," or something foolish about if somebody can have the day off. You can't waste your time on that. You're not supposed to.

On the other phase, yes, you do ferret out these things you mentioned. But, you don't interfere with somebody who can properly handle it. You don't go into Los Angeles County, for example, and start going down Central Avenue after the pawn shops who are overcharging. Number one, you'd never do it. Even if you had the information, you'd give it to the district attorney and let him do it. If he didn't do it, or refused to do it, then you'd move. But as AG you don't jump in and be the district attorney.

Fry: If the infraction is a crime that has crossed county lines, is that thrown into your jurisdiction?

Lynch: Not necessarily. You can handle it, but that can be handled by the local people too. If the case crosses county lines it's a conspiracy, and then you can try it in either county. The DAs would cooperate together on it ordinarily. If you had two large counties, for example Orange and Los Angeles, or San Francisco and Alameda, that presents no problem.

Fry: During your term was there an increase in that sort of case?

Lynch: Oh sure, with the growth of the state. You see, California was a pretty stable state, say twenty, twenty-five years ago. All of a sudden it exploded. With any explosion in population, you've got people who come out here with no roots and people who come out here to prey on them. And they did. This is the golden land for the con man, because there are more people here. There are more people selling phony vacuum cleaners, sewing machines, aluminum sidings.

We had an aluminum siding case when I was DA, and we put them out of business. You'd be shocked to know who was in the business, all the big aluminum companies. It's a little subsidiary of theirs, furnishing the aluminum to these fraudulent businesses. The one we had when I was DA was both in San Mateo County and San Francisco County. As a matter of fact, they were putting up the aluminum siding in San Mateo County, but their office was here. We prosecuted them, with the consent of San Mateo County. We didn't bother the attorney general.

Sierra County and Placer County and Alpine County might have something going in all three counties. It would be a little bit too much for the guy in Alpine County because he only comes from Stockton twice a week to be district attorney. [laughter] That's true. I know when Chellis Carpenter was the district attorney up there, he lived in Stockton. They might not be able to handle a big scam that came, say a land fraud. Those things got pretty complicated. If it's a big county, they can handle it. If it's a small county, they'll ask for help. Some of them don't. Harold Berliner, who was up in Nevada City, he loved to handle them. He put half of them out of business. I think he put Boise Cascade out of business up in his county.

Fry: Your office also handles all of the appeals from the superior courts.

Lynch: That's right, all criminal appeals. These are only people who have been found guilty. No man who was ever acquitted appealed. [laughter]

Miranda v. Arizona and Its Forerunners

Fry: It seems, then, that you had a lot of the big controversial cases.

Lynch: All of them, all the way up to the California Supreme Court. We handled them in the appellate court, the California Supreme Court, and the U.S. Supreme Court.

Fry: What were your biggest controversial appeals?

Lynch: A lot of them were controversial to us. I forget the name of the obscenity case that we had, where Justice Tobriner--I think he handed down a lot of bum law, which was afterwards overthrown, but it was a big deal. Tobriner ruled that in an obscenity case you couldn't use local community standards. They had to be statewide. I don't think he realized that if standards had to be statewide, you couldn't stop at the state line. It had to be nationwide. That's lawyers' talk. I thought that was a very important case.

Fry: What was your stand on that?

Lynch: That the man had been convicted over in Contra Costa County, and it was the standards of that county which were important, not what people on O'Farrell Street in San Francisco thought, but what the people in the residential district of Danville or Martinez, or whatever city it was, thought. But Tobriner overruled it. He wrote the opinion. We disagreed very violently with him.

There are many cases. You mentioned last time the Dorado [People v. Dorado] case.

Fry: Was that fairly important?

Lynch: Yes, because it was the forerunner of all the rest of them, Miranda and Escobedo [Escobedo v. Illinois]. They all went in together. It was part of a trend.

Fry: I have that Dorado was three years before Miranda.

Lynch: Yes, it was the forerunner. I always felt, because I've been in law enforcement practically most of my life and I knew the problems of the police and I knew the problems that they did have in arresting people, that you just couldn't look at it never having seen a criminal in your life, or never having seen a county jail or a felon who had committed about twenty crimes and knew exactly what he was doing.

Fry: We might explain that this was--

Lynch: The fact that you had to inform the man of all of his constitutional rights, some of which hadn't even been spelled out, in other words, that he was entitled to counsel and that you'd provide it for him and a lot of other things.

Fry: That he didn't have to answer your questions.

Lynch: Yes, and it's all being whittled away now.

Fry: Yes, in the [Warren] Burger court.

Lynch: That's right.

Fry: In the [San Francisco] Chronicle on February 2, 1965, you say that Robert Dorado's case, which had just been reaffirmed by the California Supreme Court, could aid 2,000 inmates of state prisons. I think what you meant--

Lynch: That they could get out.

Fry: Yes, that it could release 2,000 inmates. You were going to ask the U.S. Supreme Court to overturn it. You add that it would also keep prisoners from getting new trials.

Lynch: I don't know. I don't understand it either. I think for the record it should show that I'm seventy-four years old, and my memory is not as good today as it was then, and you're going back more than ten years. You confuse cases. In other words, I know in some of those cases they put a stop date. Judges would make a ruling which was devastating and which should affect, if they followed their ruling, those that were present and those who had gone before. But, they cut off the people who had gone before, which I don't think was quite fair. [laughs]

Fry: I did read that that happened in the Dorado case.

Lynch: I want to put this in, because I took part in a number of panels with the American Law Institute. I remember one in particular. (In fact, I've got a volume over there that one of the professors--he was the dean of the Michigan law school--published.) When a man was in custody--and nobody ever knew what that was, whether when you put the handcuffs on him or stopped him from proceeding. I used the example of somebody who comes running down the street and gets ahold of an officer. The man says, "There's been a stabbing in the bar up the street." So, the cop goes into the bar, and he backs up against the door, and he says, "Okay, who did it?" The guy says, "I did." All right. That's a complete confession. The corpus delicti is there on the floor.

Lynch: But what happens if the cop goes in and he says, "Nobody's going to leave this room until I find out who did it?" A man says, "I did it." It's the same thing. Yet that would be a violation of Dorado or Miranda, Escobedo and every other damn thing. Yet it's exactly the same thing. It's a choice of words.

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Lynch: It wasn't a question of you were a cop and you had the mind of a cop. We were trying to get down defining legal terms. I think the best proof of it is the alleged best minds in the country today, on the Supreme Court, are beginning to agree with it. They're whittling away at the obscenity decisions, and they're whittling away at Miranda.

Fry: Yes, and they have stated that local standards for obscenity are the ones that should reign.

Lynch: There's one other thing. I think they are getting to the time when they'll follow the English rule. Everybody brags about the English rule. English rule is not Miranda. The English rule is you don't tell them about counsel, but you tell them that anything you say may be taken down and used against them. It's may. The magistrate determines whether or not, under the circumstances, what they have said may be used. It doesn't say it cannot be used. It says may. Many times they just rule, and once they rule, that's it, period. When you go into court, what we call the superior court, for trial, they'll rule on it right now, and that's it.

Fry: Their system does seem to operate more efficiently than--

Lynch: Oh! I've watched it. [laughs] I watched a bunch of terrorists being tried in Old Bailey. I never saw such decorum in my life, with all these people who'd been raising hell all over London. They sat there in court, the lawyers behaved themselves, the defendants behaved themselves, and when you walk into court, you behave yourself. It's a pleasure to watch them in action.

Fry: Later on when the Miranda decision came out, you said in the Chronicle, April 23, 1967, it could "result in chaos and impotence in law enforcement. However, of good faith and reason prevail on all sides, the decision may well promote a searching examination of criminal justice procedures which could be of benefit to all." What really did happen after these decisions came out?

Lynch: Good sense prevailed. They took it in stride. My thought was that if some of the guys--there are a lot of hardheads around, like Bill Parker, for example.

Fry: The police chief of Los Angeles.

Lynch: A marvelous police chief, probably the best we've ever had in this country, but he was a very bull-headed man. Parker believed that if he had good reason to believe that somebody committed the crime or if he knew that the man did something, he wasn't too much worried about the niceties of how you got a confession. I don't mean brutality, I mean orally, let's say.

But that didn't happen, fortunately, after Miranda. This is what I had in mind. The police worked with it, and then I think they've seen the reaction. The courts have seen the reaction that so many people, well, look at Escobedo. He was as guilty as anybody could be. He's been arrested about five times since. For all I know, he's in the penitentiary right now, where he belonged in the first place.

Fry: When the Miranda decision hit a state, like California, had the Dorado case already pretty well--

Lynch: It had set the stage.

Fry: You were already having to do this in law enforcement, weren't you, in California, because of the Dorado case?

Lynch: That's right. We did it immediately. We had what we'd call missionary work. The attorney general has the right to call, as I told you, a sheriffs' and district attorneys' inter-conference any time he wants, under the law. That's a penal code section. You'd call them in by sections. You don't call all the sheriffs in at once; it'd be ridiculous. But we did that immediately with members of our staff who were trained in that sort of thing. Whenever a decision came out--at least under my administration--that affected law enforcement, we immediately called what we called zone meetings and explained it to the district attorneys and the sheriffs and had an open discussion about it. Obviously, they had questions. "Well, what do we do?" We tried our best to tell them what to do.

Fry: This was another function of your office, kind of continuing education of law enforcement procedures?

Lynch: That's right.

Fry: Who handled that in your office usually?

Lynch: In northern California Arlo Smith handled it. He was my chief criminal deputy. I usually attended the meetings if I could, particularly up in the north. If I was down south and there was one going on, I would go. I attended as many of those meetings as I possibly could, because I'd been a practicing district attorney and I knew the problem a little bit better than, say, a secretary of state coming in to be the attorney general.

Fry: If you could name a few other big appeals, it would help.

Lynch: A lot of them were big to us, but they don't mean anything to the general public.

Fry: Those are the ones that we need because they won't be in the newspapers.

Lynch: Well, like the Kreschke case in southern California. This is the deputy from Evelle Younger's district attorney office. That was an important case to us because we put an awful lot into it. It was a very, very difficult case. The man was guilty. He was found guilty. We thought we were going to have a lot of problems with the U.S. Supreme Court. It was one of those cases that if they wanted to overturn it, they could find excuses to do it, as they've done in other cases. I sound critical of the Supreme Court, and I am.

Fry: This may not have anything to do with the Kreschke case, but in thinking of the relationship between the counties and the state, some people felt that criminal procedure laws in local counties or cities should be able to pre-empt those of the state, especially if the local ones were stricter.

Lynch: They can't pre-empt state law. We have that problem all the time. You can have more definition to it, if it's within the state law. But you can't take the murder statute and make additional offenses first degree murder than are set out in the state law. It's mostly in the civil field that applies, not in criminal.

But, on regulations and things like that--for instance, the legislature gives you the power to set a sales tax. They don't set a limit on it. You can have your own, more or less. You can have none.

Fry: You can? In a local county?

Lynch: If you don't want it, you don't have to have it.

Fry: You don't have to have a state sales tax?

Lynch: Oh, a state sales tax--but most of your tax is local. For instance, we pay a half a cent over here so you can ride over on BART. Ours is six and a half, the highest in the state.

Fry: Yes, I know. Okay, but they cannot in any way interfere with the supremacy of the state.

Lynch: That's right. But really, if you're reviewing the career of an attorney general, you're getting into a side bar now.

Fry: Okay, except that had appeared in the press as an issue. I thought maybe it was something that you had to deal with.

Lynch: Oh, no. No, you had to deal with it because somebody--we had it here in San Francisco, I recall. They passed a right-to-work ordinance, and it had already been ruled by the court that you couldn't. They had one in Palm Springs, I think. It caused a lot of difficulty. That gets into the campaign business.

Fry: Yes, and your labor problems. We'll get into that.

VIII THOMAS LYNCH AS ATTORNEY GENERAL, 1964-1970

Working With Governors Brown and Reagan

Fry: In trying to organize something as big as talking about the attorney general's office, we could start going through some of the specifics that have come out in these newspaper articles about your career. One impression that emerged from these articles was the picture of you functioning as an attorney general under Pat Brown and the picture of you functioning as an attorney general under Ronald Reagan.

Lynch: It was about the same.

Fry: We have these articles divided into the two administrations. It's interesting that you say it's about the same, because in the press it looks different. I guess the press always picked up those things that you were having a dispute with Reagan about.

Lynch: Yes, they glorified those things. I only had one dispute with Ronald Reagan. The difference between the two was that when I was working under Pat Brown, I was a very close friend of Brown's. I was a confidant of his before I was attorney general. As a matter of fact, when Brown was elected governor I went up to Sacramento to spend a month up there. I had an office. My job was really a trouble-shooter. He said, "I've got these particular problems." They were personal problems with people in government.

Bill Parker was one. Brown was having a hell of a fight with Bill Parker. Bill Parker and I were very close friends. Pat asked me if I could resolve some of the difficulties. They were teeing off on each other every day almost.

Fry: Do you remember the issues?

Lynch: No, I don't. I don't think they were that important. [laughs]

Fry: They just didn't like each other. [laughter]

Lynch: They never did. Bill called Pat names, and Pat called Bill names. So, I would try to cool him off. I'd cool off Bill Parker and cool off Pat Brown, as a matter of fact.

There were other things that Pat wanted. You know, it's a kind of a lonely job. Nobody gets any training to be governor. You don't start off being governor in a small one and go up to a big one. All of a sudden, you're the governor. Lots of times when you are, you like to turn to somebody in whom you have complete confidence who'll give you an opinion for which he's not being paid. In other words, I would tell Pat exactly what I thought; whereas, other people who were around him, they were going to have--

Fry: Didn't want to get fired.

Lynch: Not only that, they were all really pushing for positions with the new administration. Many a time I'd go up to talk to Pat up in Sacramento, or he'd come by. He still kept his home out here on Magellan for a while. He'd come by the house; he'd stop in and have a cup of coffee, many times. So, this was nothing new. I had that relationship.

When Reagan came in, in fairness to him, I had a very pleasant relationship. I used to have lunch with him in the capitol. I'd get tired of it because I had to listen to Rafferty.

Fry: He was at lunch too?

Lynch: It was Reagan's cabinet and the constitutional officers.

Fry: How often were your lunches?

Lynch: I would only go, say, once a month. I think I went three or four times, and then I got fed up with it. Besides that, Reagan's job was in Sacramento. I had to be other places half the time. But it was very cordial. The only disagreement we had that amounted to anything was over Proposition 14, which is the same thing that apparently Younger's having now.

I read in the paper today or yesterday he wouldn't represent somebody--I forgot who it was--which he has the right to do. In other words, you are an independently elected officer. You're elected by the people. You're not appointed by the governor. And don't ever forget it. The minute you start forgetting it, you're in trouble. You can defy anybody, and you'd better do it.

I defied Pat Brown. I actually had a bigger argument with Pat Brown, when you come to the big ones, than I did with Reagan. Brown wanted me to put forward Abbott Goldberg's program, or testimony, before the Congress, on the California water problem, and I wouldn't do it. He was put out about it, but then he realized--

Lynch: I said, "Pat, you're the governor, but I'm the attorney general. If that Goldberg goes back there and makes his speech, then I'll make mine. You better keep him home." So, he did.

I told him what Tom Kuchel had said. [laughs] Senator Kuchel told me when I was back there, "Send Goldberg back here, and I'll cut him to pieces."

Fry: This was what, in the Supreme Court case or in Congress?

Lynch: No, this is proposed litigation. It was very, very complicated. It was Arizona v. California, the basic case. It had to do with allocations from the river which had to be granted by changes in the law and things like that, which we lost.

Fry: Was Pat Brown actually, personally, on the California side of that? Or did he feel that Arizona was entitled to--

Lynch: No, it had to do with--not the difference between California and Arizona. He may have wanted to give in a little to Arizona. I don't remember the basic controversy, but it was technical. Goldberg had a right to put forward the governor's position. See, Abbott Goldberg was representing a state agency, and I was representing the state of California.

Fry: Then did Goldberg have to--

Lynch: He didn't go.

Fry: Who carried that for California?

Lynch: I did. We're talking about two different things. You're thinking about Arizona v. California. That was long gone. That had been submitted long before my time. This was legislation that we were proposing, and which we were fighting over. I think one of the basic questions, for example, was should Arizona be charged for the water that they took out of the Gila River, which ordinarily, if they didn't take it, would go into the Colorado. That was one issue, should that be charged against their allotment, because everybody was stealing water. And we're still doing it.

There were other people involved in this, outside of this California water project or the California water department, what they thought of it. We had the Imperial Valley, the Coachella Valley, and we had the Metropolitan Water District of Los Angeles--who were taking the water out of the Colorado River. The state of California wasn't taking any. These were private parties taking that water.

Lynch: This was essential to the economy of California and the health of Los Angeles, and Orange County too, I might add, and San Diego. But, our interests were theirs because this was the largest part of California, population-wise, and agrciulture-wise. You know what comes out of the Coachella and the Imperial Valley, and the one other one. What's the other one? There are three of them. All of their water comes out of the Colorado.

Fry: Can you just give me an overview of what happened in this disagreement with Brown?

Lynch: I went to Washington. Pat agreed with me finally. He said okay. I testified at the hearings.

Fry: This was for testimony. Was your side, then, upheld by the Congress ultimately?

Lynch: No, it was not. Either one of us would have lost. It was a matter of not basic disagreement on the meat of the subject. It was a basic disagreement on the method of presentation, is what it amounted to. Very frankly, it might have been a personality clash, in that I saw no reason why Goldberg, who was a very pushy guy, should go back there and the attorney general should sit on his backside in California while some department was representing California. That's what it basically was.

Unrest at Berkeley

Fry: I have a laundry list here of events to ask you about. One of the first things that happened in the Brown administration was the free speech controversy and the sit-in at Sproul Hall, which began a whole new set of problems for law enforcement officials all over the United States. I think you told me that your office had to coordinate that.

Lynch: That's right. We were in it up to our ears. Charlie O'Brien was on the scene, and he coordinated the efforts and gave advice. We had our men in there as observers. We furnished communications capability and things like that, but we didn't do any actual police work. We did coordinate it, by request. The university had to call in for help. The campus police couldn't handle it, obviously. You had the sheriff's office and probably had the Berkeley police department. We had the facilities to coordinate it, which the campus police don't have. And we gave advice. Charlie O'Brien, I think, got in a couple of riots. He got his picture in the paper. [laughs]

Fry: It was hard not to get in them. What about the decision to remove the students? Did you give Pat any advice on that?

Lynch: No, not that I recall.

Fry: It seemed logical to me that he might have called you that night.

Lynch: No, I don't recall that he did. I don't know who gave the order. I didn't.

Fry: In the coordination of the law enforcement people, could you tell me about any advice you remember that you were called upon to give? These were such a new set of problems.

Lynch: You handled it on the scene. Charlie O'Brien handled it, and he was very capable of doing it, on the scene. He would tell me what went on. I wasn't sitting with a telephone or watching a big screen and saying, "Now, you do this," or, "Go to point." I didn't do anything like that. I had other things to do besides handling a Berkeley riot.

Fry: I was hoping you could tell me what sort of coordinating efforts Charlie O'Brien made.

Lynch: He would advise them on an immediate problem. You know, you can't recall those things. What might've happened would be some guy would say, "What do I do now?" or "Should I do this?" or "Can we go in there?" Thousands of little things. "Can we move the cars up? There's a fellow over there that's beating up on somebody else. Can we pick him up?" Charlie would say yes or no, because he's a trained lawyer, a very capable man.

There might be somebody who's really gotten out of line. You have to also take the approach: "He's doing business with the university. What's his philosophy?" You might go one place, and they invade a building and it's a violation of the law, and whoever is in charge will say, "I want these people out of here." You might want to argue with him about it, but you're up against that. On the other hand, you'll have just the opposite. The president of the university or the chairman of the board of regents might say, "Leave them in there." So, you'd have to adjust yourself according to that.

It's an on-the-spot deal. Nobody chronicles it. You don't go in with a laundry list of what you're going to do that day. You go over there hopeful and happy that nothing's going to happen. If something happens, you take care of it.

Fry: In this report by the President's Commission on Law Enforcement and Administration of Justice there's a section on handling demonstrations. The line that caught my eye was, "Demonstrations should not be confused with riots."

Lynch: That's right.

Fry: What does that mean?

Lynch: It means what it says.

Fry: What do you do that's different?

Lynch: A riot is a violent display of lawbreaking, and you put it down, period. You don't allow riots to continue. People are destroying property, injuring persons--well, you move in on it. If they're not hurting anybody or anything, that's a demonstration and you pay no attention to it.

If our demonstrations were like the Japanese, whom I've watched, then we would have no problem at all, except for the airport. I've seen demonstrations in Japan with thousands of people who stop at stop signs and wait [laughs] for the traffic to go by. Then they all go marching across. It's the most amazing thing.

Fry: That was like some of the peace marches in Berkeley during those years.

Lynch: I don't doubt that, but that's the point. If people want to march up and down my street, they can do it all day long as far as I'm concerned. But, if they want to do it in the middle of the night and shoot off fire crackers and ring bells and things, I'd call the cops, because that's not a demonstration. It's disturbing the peace.

Fry: At the time there were a lot of suits brought that weren't settled for quite a long time against law enforcement people who came in on this, for false arrest and for beating up suspects and things like that. Was there anything at the time that your office could get in on? Of course, later on at People's Park, they actually shot people. Was there anything that your office was doing about that?

Lynch: No, they were handled by local authorities. If there were lawsuits filed, they were usually defended by the city attorney or private counsel.

Fry: If they rounded up too many people for something and put them all at the Santa Rita prison, which they did at one time, is there anything in that that the attorney general's office would come in on?

Lynch: You'd look into it to be sure there wasn't a conspiracy to violate civil rights. We probably advised them that they shouldn't do certain things that they were doing, but we're not about to sue them.

Fry: So, your power would've been to call up the sheriff of Alameda County, say?

Lynch: Yes.

Fry: Do you know whether your office did?

Lynch: No, I don't. That's too long ago.

Fry: Who would know?

Lynch: I don't know. Somebody who's there now, who actually did any of those things.

Fry: In your office, who had charge of it? Do you know?

Lynch: Charlie O'Brien did, or Arlo Smith would know about it. Or Lowell Jensen, the DA over in Alameda County, would know about it.

Fry: He wasn't DA then.

Lynch: Well, he was in the office. Frank Coakley--but don't interview Frank. It would take you months.

Fry: [laughs] As a matter of fact, we did interview Frank Coakley.*

Lynch: How did you get out of it? [laughter]

Fry: Really we came out with some fairly medium-sized interviews. It was just after he retired.

Lynch: He's got an office in there. He's "district attorney emeritus," nice guy but--he's a feisty Irishman.

Watts Riots, 1965

Fry: We move on to the Watts riots, August, 1965. I know you've got a lot to tell me about that.

Lynch: You want me to just start telling you?

Fry: Yes. There's a lot you can read on it, the McCone Commission reports; there's your own office's report; there's a UCLA report. But, in essence, it went on for five days. There were thirty-four people

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*See interview with J. Frank Coakley, "A Career in the Alameda County District Attorney's Office," in Perspectives on the Alameda County District Attorney's Office, Vol 3, Regional Oral History Office, The Bancroft Library, University of California, Berkeley, 1974, p. 91.

Fry: killed, six hundred buildings damaged. Then later on the House Un-American Activities Committee held hearings on it, and those were published in 1968.

Lynch: What did they do in that?

Fry: They were investigating the subversive influences in riots, looting and burning.

Lynch: [laughs] Gee.

Fry: I thought maybe you had to testify.

Lynch: No, I'm sure I didn't. Well, the Watts riots occurred. When they occurred I was in Los Angeles. The facts are found in other reports, what started them and how much looting was done. There's no point in my going into that. I mean, I saw it but--

Fry: You were in your office in Los Angeles at that particular time.

Lynch: That's right. I was there regularly, although I was accused later by Mr. Bennett of being someplace else. He said, "Where was Lynch when the Watts riots broke out?" [laughter]

Fry: You had your answer. You were right there. [laughs]

Lynch: I was there; Pat Brown was in Greece. It started getting worse and worse. I kept in very close contact with Bill Parker, just really on a personal basis. I'd talk to him and want to know what was going on. I said, "If there's anything we can do, let us know." Bill kept me advised, I'd say, really on a personal basis, two or three times a day, particularly when the riots started getting worse.

I was also in contact with Sam Yorty, who was just across the street. I mean the mayor of Los Angeles. (People may have forgotten that by the time they read this.) He was rather hysterical. And I would say that perhaps Parker was getting a little bit hysterical. The main thing they wanted to do was to declare martial law. Of course, Yorty would declare war, let alone martial law. If you knew Sam Yorty, he's an egocentric man.

Fry: What was he saying?

Lynch: He wanted to declare martial law, and he wanted to get the troops in there, several thousand of them, and heavy artillery and chase everybody, put down the riot, period, by armed force. He didn't have the right to do it, number one. The only man who could declare martial law is the governor. He could request it. I had a hell of a time getting that into Yorty's thick head, that he couldn't declare

Lynch: martial law. He was about to make the proclamation. I said, "Sam, you can't do it. You can request it, and the governor can't declare it unless you request it." [laughter] The same thing with Bill Parker.

It got steadily worse. We [Lynch and Champion] decided, "You [Parker] should go to the governor." The lieutenant governor, Mr. Glenn Anderson, obviously was in no mood to declare anything.

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Lynch: I know Anderson was at a regents' meeting in Berkeley. But, there's a little more to it than that. Let me go back a bit. Hale Champion, I believe, was director of finance at that time. In any event, he was very close to the governor. I would say, well, somebody had to take charge. So, they had a whole staff from the governor's office, none of whom could get your dog out of the pound, but they were all gathered around smoking their pipes.

Hale and I were in communication with Yorty and with Parker. It [the governor's office] was all just downstairs from my office. We decided we ought to get Governor Brown to make a decision as to whether or not he should declare martial law. The trick was to locate him, which we finally did, in Greece.

Hale talked to him, and then Pat wanted to talk to me. He was talking to me in a dual capacity, as the attorney general and as the person, I guess, whose judgment he relied on. We told him in no uncertain terms that martial law should be declared, because we knew that you weren't going to get Anderson to do it unless he had Pat Brown's okay.

So, okay, fine. I sent my staff to work to draw up the necessary proclamations. It's a technical thing that does take some doing. And, of course, [laughs] no problem with Yorty or with Parker. Parker wanted to declare martial law too.

Fry: You said you thought he was getting a little hysterical, too.

Lynch: They were getting a little edgy. I mean, he's a cop, and he sees looting and burning and killing going on. He didn't have the manpower of his own to stop it, and he wanted some assistance. After all, he had to keep the fire from starting in other parts of Los Angeles.

Anyway, we told Pat what the situation was and told him we were going to draw up the proclamation--fine. I set my staff to doing it. In fact, it was Roy Ringer, I think, who's now a judge in L.A.

Lynch: Then the trick was to locate Glenn Anderson. He was at a regents' meeting in Berkeley, so we tried to catch him there. He had left. He knew what was going on, but he'd gone to go to Sacramento. We couldn't catch him in Sacramento because he was going to catch the Grizzly, which was Pat Brown's antique government plane, an old, old, old DC-3 that took about three or four hors to get to Los Angeles. It was out at McClellan Air Force Base, which, as you know, is probably twenty miles out of town. Anderson was en route to McClellan to get on the Grizzly. The Grizzly had the radio, but we couldn't contact it. I don't know why. We wanted to contact it and tell them what was going on.

Anderson got to the L.A. airport hours later, around five o'clock in the afternoon. He held a press conference. I don't know what it was about, because he hadn't talked to anybody in our office. He didn't talk to me, he didn't talk to Hale, and he didn't know what Governor Brown's feelings were.

He got downtown oh, maybe an hour or an hour and a half later. We told him what the situation was and told him we had the proclamation all drawn and all he had to do was sign it. I'll remember his immortal words. It was just Hale Champion and myself and Glenn Anderson, and Anderson had the pen in hand, and he looked up and he said, "Now you're telling me to sign this?"

I said [laughs], "Yes, go ahead and sign it." I don't know what he did after that.

Anyway, then they alerted the National Guard, and it slowly came to an end. Fortunately, the guard was on maneuvers, as I recall, so they could immediately turn around a large group and wheel them into Los Angeles, and the thing gradually died down.

That's the story, as far as I'm concerned, of the Watts riots. My part was legal. The supplying of the force necessary was the L.A. Police Department, the sheriff's office--I think they were in on it; sure, they were using their helicopters--and the National Guard. Afterward came the hearings. I testified at the McCone hearing. I don't recall testifying at any other hearing.

Fry: You said Warren Christopher was asking some questions.

Lynch: That was at the McCone hearing. He was the attorney.

Fry: What were your views of that, later?

Lynch: I don't think it ever should've gotten started, number one. I think it was ready to explode. Obviously it was ready to explode, and it just needed something to trigger it. The incident that triggered it

Lynch: had nothing to do with Watts. It happened up on the freeway where the cops stopped a car. I don't think they were in the wrong. I think the report will show that.

Fry: You don't think the cops were in the wrong?

Lynch: No. They made a routine stop, and they got a lot of trouble from the people that were in these cars, one car, or two maybe. But, some guy started a lot of trouble, and rumors spread as they always do, most of which were unfounded. I can't recall what they were because they were wild rumors that somebody had been killed or somebody had been shot. Everything was going around.

Even when the riots were going on, there were rumors that they were blowing up banks. I can recall specifically that the story came into our office that they had blown up the Bank of America out in Watts, which of course didn't happen. There was tremendous looting going on.

Fry: Did you set up communications centers?

Lynch: Yes, we did. We had our people. I don't know exactly what they did, but whatever was needed, we could supply. We could provide all kinds of intercommunication. In fact, we were the only people who could. LAPD can handle themselves. They've got a very sophisticated communications set-up.

The riot never should have happened. The conditions which promoted it were bad, and they still are, as far as I know. But I don't think anybody's going to solve that problem in the very near future. It's still going on. You look at slum conditions in San Francisco, Chicago, Detroit, New York, and you see the same things that are going on in Watts. I think there are two sides to the coin, because nobody knows--well, I think people know, but they're not willing to come up with the answer as to why these things happen. A lot of the reasons they assign are not all of the reasons.

Fry: What is your view on the reasons?

Lynch: In my view there are many, many reasons: lack of job opportunity, lack of education. You have a situation here in San Francisco, as I told you before, where nobody has been held back in class since 1940. Students are going out, and they can't read and write. The teachers can't read and write.

You look at the garbage conditions in New York, or what they do with garbage. I've seen them. I've been in buildings where they set up a perfectly clean housing project in a good neighborhood, good facilities. Go back there two years later, and they're a

Lynch: shambles--holes kicked in the walls, refuse on the floors, elevators busted. Draw your own conclusions. I'm not as naive as to believe that those things don't happen--except for people who cause them.

Fry: Who do you think causes it?

Lynch: The people living in them. You have to face those things. You haven't been in them. I have. I've dragged dead bodies out of them. I've seen people with holes in the floors that they use for a toilet in housing projects.

Fry: Later on, this became a very political question. Pat Brown's answers to what caused Watts were rather well accepted in Watts apparently, the fact that blacks needed ways to get to the hospital and needed other services that were available in other places but were not available in Watts. I wondered if any of this splashed over on you.

Lynch: No.

Fry: You didn't have to comment publicly then.

Lynch: No, I didn't.

The Death Penalty

Fry: The other issue that was running along through all these years was capital punishment, which as you told me, you disagreed with Pat Brown on. You appeared before the legislature in 1959 for capital punishment.

Lynch: I was DA then.

Fry: The next year, when you were DA, you did not appear. By that time this was relating to the Chessman case.

Lynch: I didn't appear for one reason. It did not become a legal issue. It was an emotional issue. You were having movie stars and other clowns up there who didn't know anything about the subject, getting their name in the paper, testifying. I figured the hell with it. The hearings accomplished nothing. There were nuts and the same old cast, plus a lot of movie stars.

I remember Senator McAteer taking on some gal up there, and he told her in so many words--I'll never forget it, she testified, oh, very emotionally--he said, "You're a very charming lady, but listening to you I come to the conclusion you don't know what you're talking about." He sat her down. She ran out of the room. I've forgotten who it was, but she had no business--but that's what it degenerated into. I got out of it.

Fry: A lot of people entered it when the Chessman case came up who had never had any contact with it before.

Lynch: Yes, publicity seekers.

Fry: What we want to know about is you and Pat Brown on capital punishment.

Lynch: We had no arguments about it. I was for it; he was against it. When he was district attorney, I prosecuted people and sent them to the gas chamber. Pat didn't try to get them out of it. He had a job to do. When he was attorney general, I'm sure he upheld appeals where the death penalty had been imposed. You run into that. For instance, I'm a Catholic, and I don't let my religion interfere with my job. [laughs] So was Pat, for that matter.

Fry: This was sort of a religious thing with Pat, wasn't it?

Lynch: No. Oh, it might have been. I don't know. No, he's always felt that way. I guess my wife feels that way, but we don't argue about it. I just feel that I have a little more to go on.

Fry: Later on, your office released a murder study. I thought I detected some of your argument for the death penalty, which was that something like only 3 percent of those convicted of murder actually reach the electric chair.

Lynch: There's no use arguing it. People argue it forever. It's emotional with some people. It's personal with some people. They come up with arguments. Sometimes it gets a little silly. They say, "It's no deterrent." I heard a lawyer get up in court and say, "It was no detergent." [laughter] He wasn't very bright. I won't mention his name because he's still around. But, they say it's not a deterrent. Well, it certainly is. It deters the guy that committed the murder.

Fry: From committing others.

Lynch: That's right. I just don't agree. Many people argue this from a religious point or a philosophical point. I've gone into that. I've been raised in, let's say, religious schools, and I've never found anything the Bible or the Lord or Revelation or anything else, going back to the Mosaic law, that's against capital punishment. In fact, the Old Testament says, "An eye for an eye and a tooth for a tooth." I'd hate to have to inflict some of the punishments that are set forth in scripture. If your eye offends you, tear it out.

It's an argument that will never be finished. I respect people's feelings. If the people are against capital punishment, fine. That's good. I only had one thing, and I'll never forget-- Do you know Mary Ellen Leary Sherry?

Fry: Yes.

Lynch: She was anti-death penalty. We're very dear friends. Mary Ellen would come to me, and she'd argue with me and say, "Well, Tom"--this, that, and the other thing. We'd go back and forth and back and forth. I said, "Mary Ellen, it's a very simple thing that I advocate, only one: Let the people vote on it."

She looked at me and she says, "The hell with that!" She knew how they'd vote [laughs].

Fry: Yes, the polls all showed that voters would pass the death penalty.

Lynch: But I quit. I said, "Let the people vote on it."

Fry: How did this affect anything in the attorney general's office?

Lynch: No way, nothing. I'm sure that if anti-death penalty people who were writing briefs in the attorney general's office didn't want to write the brief, they didn't have to. Soembody else would write it. It was not a problem.

A Clash With William Bennett

Fry: I've heard that the dispute between Governor Pat Brown and Commissioner William M. Bennett over the El Paso Natural Gas case was because Bennett had managed to--

Lynch: He sent out a telegram saying he was representing Pat Brown, representing the state of California.

Fry: And the case was actually being tried in Utah.

Lynch: Well, wherever it was. My recollection is that Bennett sent a telegram. This was the first day I was in office, I think, the first problem I had. Wouldn't that be in September? That was the first problem that I had with Bennett. But it was a tempest in a teapot. Newspapers made something of it because it's fun. The governor and Lynch and Bennett are all involved in a fight. Bennett was a feisty guy. He sent a telegram which he had no authority to send.

Fry: Then Pat Brown sent him a wire about February 20, 1965, demanding that Bennett drop out of the Utah action, wherein a federal judge rendered a decision that Bennett says could undo his 1962 victory against El Paso Gas.

Lynch: I recall later he wanted to represent the state. He wanted to appear as counsel, and I wouldn't let him. [laughs] We had those problems every day with him.

Fry: Where he wanted to appear as counsel for the state?

Lynch: Oh, yes. Bill is a super egomaniac and a very feisty Irishman. Bill had a chip on his shoulder because he'd been--this is a story I never understood. I don't understand it. I know what happened. He had been in the attorney general's office. First of all, he handled the business coming out of the Public Utilities Commission, in the attorney general's office, which is natural, although they have their own counsel. This was when Stanley Mosk was attorney general.

Then it grew and grew, like topsy. Finally he convinced the commissioners (and most of them aren't lawyers) that he should be assigned--he asked the attorney general to assign him permanently to the PUC, but he still wanted to be an assistant attorney general. Well, he got assigned down there, but he had to be dropped from the payroll of the attorney general, and he became a counsel for the PUC. I don't know why the hell they ever let him do it.

Anyway, after a while he got tired of it, but after he had raised all this eruption around in everything that came up. As counsel to the PUC, he wanted to represent the state of California, but he had no right to. So, he wanted to get his job back as assistant attorney general. But we wouldn't give him his job back, and we went to court on it. He lost out, and that didn't make him any happier either. This was a continuing quarrel that went on. You'd have to know Bennett to realize how it could come about.

Fry: The background of that El Paso Natural Gas case, I think, was that El Paso Natural Gas wanted to combine with something up in Oregon.

Lynch: Bennett didn't want them to. They wanted to bring gas in from up in Colorado through northern California. It's too complicated. I couldn't tell you that offhand.

Fry: It's neatly summarized in one of these articles here. At any rate, it says, "As PUC counsel, he battled the El Paso Natural Gas Company through the federal courts and won a huge refund for California consumers, and now he's fighting El Paso Natural Gas in a federal antitrust suit in Utah."

Lynch: I don't recall the details. That's too complicated. But I know that he wanted to represent California. That's the basic struggle. Whether he was right or wrong is not the issue.

Fry: What did you do as peacemaker?

Lynch: I wasn't a peacemaker at all. I was a referee. You're taking as gospel what a newspaper says.

Fry: No, I'm not. My whole purpose is to get documented what really happened. Future historians will use newspapers to go by, so what I want you to do is to correct the newspapers.

Lynch: I'll go on record now and say any future historian who relies on newspapers isn't doing his job correctly.

Fry: So, you've got to give us the straight story and explain--

Lynch: Basically, it's what I said. He was in a position where, representing the PUC, he had thrust himself in there, not while I was there, and they [the attorney general's office] let him get away with it. It's fine, you know. If he wins, he was the big hero. Nobody in the world loves to make a hero out of himself like Bill Bennett. So, he's a big hero, but they shouldn't have let him do it. It should have been the attorney general. It was the same argument I had with Goldberg. He wanted to represent the state of California. It's a matter of principle. I was the attorney general.

It's a matter of principle with Bennett. That's fine. He could be of assistance to us and everything else. He didn't want to be of assistance to us. He wanted to be it. As a matter of fact, Bennett even put in an expense account with us. He wanted us to pay his expenses to go to Washington. He's still looking for it. But those people arise all over. They've been thrown out of more departments.

Fry: What did you tell him?

Lynch: I told him that he didn't represent the state of California and to get out of it.

Fry: What did you tell Pat Brown?

Lynch: You can go running back and forth in these--my idea, if you're given a job to do, you do it, period, and that's the end of it.

I can recall in the DA days Pat Brown asking me--well, not asking me. I asked him one time if he wanted me to square a beef that he had with the newspapers. He said yes. I said, "Okay, I'll do it, but don't ask me any questions." And I did square it. He wanted to find out how I did it. I wouldn't tell him, because then he'd know as much as I did. [laughter]

[tape off briefly]

Para-military Groups in California

Fry: The next question is those military private armies that California had. That was kind of unique to the sixties, wasn't it?

Lynch: Yes, it was. That was when? That was in '64, but I think it mostly ran over into '65.

Fry: It seemed to go on and on.

Lynch: What does this mean? [reads] "Brown criticized for writing letters to Lynch?"

Fry: That's a newspaper story. It sounded like kind of a public letter that he must have written to you and released to the press, saying, "We must tighten up on law enforcement. We must make the streets safe," etc., etc.

Lynch: I don't recall that.

Fry: Here it is. The minority leader in the assembly, Charles Conrad, and Assemblyman Deukmejian said Pat Brown should stop writing letters to you and do something about it himself and that Brown should support legislation by the state law endorsement agencies.

Lynch: That was because the Duke was preparing to run for the attorney general, which he always does and is still doing. I may even vote for him because he's a very nice guy.

Anyway, getting into this weapon deal. We didn't call it that. We had another name for them. We called them para-military. We had quite a do about that because they were springing up in southern California. They were way out of hand. Now this had nothing to do with gun legislation, as it's properly called. It had nothing to do with pistols or rifles or shotguns or hunters or anything like that. These were para-military groups. They were training in the desert; they wore uniforms; they were nuts. They were like the Nazis running around today. I had the fear then, as I have now, that this neo-Nazi is something that's going to come up again.

I can recall speaking about it to somebody, not a meeting, but a group of friends, a year or so ago. We are just going to see it again. I've been a student of Nazism. I've got more books on it, I guess, than anybody else, because it has fascinated me how this could happen, how a man like Hitler could arise, who most people merely put out as a nut, and he turned out to be. Maybe he was, I don't know. Maybe he was a genius. I never could reconcile his actions with people of the general staff and the intellectuals of

Lynch: Germany. But, you see the damn thing in your own country. We were seeing it then, and I see it now. It's going on in Skokie, Illinois. It's going on here in San Francisco.

Fry: And the Supreme Court ruling this morning.

Lynch: I didn't even catch that one.

Fry: The Supreme Court ruled that the Nazis can indeed march.

Lynch: I don't disagree with that, but--

Fry: In a heavily Jewish area in Skokie.

Lynch: Pick up the news magazines. Either Time or Newsweek this week has got a picture of them marching again in Germany. They're there.

Fry: It just keeps on going.

Lynch: This was getting pretty hot here in California in--I guess it was '65.

Fry: This was right after you took office, one of them.

Lynch: No, I think that's something else you have there, concealable weapons.

Fry: Yes, that's different. But, I see that you intend to seek legislation outlawing private military groups in California, in a speech to the Los Angeles Lawyers' Club, on November 19, 1964. That was just a couple of months after you took office.

Lynch: In any event, they were pretty prevalent in California. They were frightening. I don't think the general public knew too much about them. They were training out in the desert, and they had sophisticated weapons. When I say sophisticated, I mean they had bazookas and they had anti-tank guns, which were actually used in at least two instances in California in bank robberies where they blew the doors right off the bank. An anti-tank gun will blow up a tank. I can give you the name of the guns. They're Lahti. They're Swedish or Swiss. I took some back to Washington to testify back there, trying to get some federal legislation, but the gun lobby--

Fry: Did you have any luck?

Lynch: No, you never have any luck.

Fry: The American Rifle Association?

Lynch: Yes. Well, I don't know what happens. You don't know what goes on. Everybody listens politely and thanks you for coming and blows a little smoke in your direction. You go home, and the next thing you know it didn't get out of committee. Nobody knows what goes on.

In California we succeeded in getting legislation that outlawed what I'd call sophisticated weapons in private hands. They all say, "Well, shotguns." We measured the bore. In other words, you couldn't have a gun whose bore exceeded--I think it was fifty millimeters. Anyway, it was larger than a shotgun. And all anti-tank guns and machines, of course, are outlawed.

But we had some bad experiences. For example, the federal government, believe it or not, had given a permit to some people down south--and the permit costs a dollar--to manufacture machine guns. They were manufacturing them. They had hundreds of them that were manufactured. It's got a strange name. We knocked them over, our people did. We infiltrated some of these groups.

Fry: [reads] "A Los Angeles ordnance plant--" Yes, and that's March 27th.

Lynch: I think there were some 200 of them, or short of 200. They manufactured their own gun. So, we knocked them off and got the guns. That crippled a lot of it, but we met an awful lot of opposition [referring to article]. That's it, yes. I think it's spelled wrong. It's Erquiaga Arms Company. They claimed they were going to export these guns. They did have a permit from the federal government, and they were just going blithely along making these machine guns.

Fry: They were selling them almost entirely to a group that was--

Lynch: They had gotten some of them out, a small amount of them. We knew that obviously nobody else was going to buy the rest of them. They were a shlock deal because they were not made for the government. They could only go into private governments, unless they were going to export them, and they weren't. Anyway, they didn't have a permit from us, so we got them on that and then confiscated. I don't know whether we indicted them or not. I can't remember. But that was a very dangerous thing. This would have been a couple of hundred machine guns going into private hands.

There's two fellows over in Marin County that have had anti-tank guns in their homes. [laughs] They could've shot down the Transamerica tower [in San Francisco] with them. I don't know whether they still have them or not.

Fry: At the time you took office that was legal, right?

Lynch: It wasn't legal. Nothing was being done about it. You could get them.

Fry: It was illegal but not being enforced.

Lynch: It's like a lot of things that come along that as time goes, new things arise for which no provision has been made in the law because they didn't exist. Anti-tank guns, for example, didn't exist before World War II. They didn't exist in private hands till after the war when they became surplus and some people picked them up. You can have them if they're incapable of firing. One of my sons has a cannon, but you can't fire it. It's plugged.

Fry: Did your office investigate a lot on these private armies. If someone is interested in writing a history of them, could they find records in the attorney general's office?

Lynch: Yes, they could.

Fry: Who was in these groups? Where did they get their money?

Lynch: There's a great source for this, who was with me in my offfice, Tom McDonald. He's a tremendous source. He coordinated a lot of the investigation. He was my press man in Los Angeles. He went into these things in depth. He's now with the district attorney's office. He's a great source on anything like this, because it was in southern California. As a matter of fact, Tom would come up himself with these. He had tremendous sources of information.

Fry: He was sort of an investigator too.

Lynch: Yes. I'd call him an investigative reporter, or a press man. Tom didn't wait for things to happen. [laughs] He caused them to happen. Every newspaperman in Los Angeles knew him and trusted him. It got so that they would call the office, and Tom took it upon himself, certainly with no objection from me, to speak lots of times about what I was going to do about something and keep them informed. I mean, he didn't have to check it out. He knew more about it than I did. I'd get to Los Angeles, and he'd fill me in on what was going on. Very capable young guy. He's not young anymore.

Fry: Is he still in the press end?

Lynch: Yes.

Fry: Who were these groups?

Lynch: The same people you see parading as Nazis.

Hell's Angels were another problem. They would've wound up with machine guns and cannons too. Some of them did. And they had camps.

Lynch: [laughs] I remember I went down to make a speech out in the San Bernardino country out there, way out in some college--I think it was one of the state colleges--and it was on a hillside. I'm standing out on the side in the yard or the tennis courts, facing up in the hills, and two or three of my men are there. I was wondering what they were doing. It was a peace officers' meeting, and I noticed how many of them were there. They were all standing around.

I got outside, and they say, "I think you'd better get out of here, General."

I said, "Why?"

He says, "There's a whole camp of these para-military nuts up there in the hills. They could draw a bead on you from up there."

I said, "Well, let's get out of here."

They testified in Sacramento. One clown came dressed like he was in the Seventh Cavalry, you know, like you see in the western movies, full regalia. Some other guy came up who said he was a preacher of some kind. We took him apart because he was a phony. You had some allegedly responsible people. A lot of people of wealth, sort of loners with a lot of money, would let these people use their property. There's a lot of those people around. They think that a war is coming any minute, or that the Democrats or the Catholics or the Republicans or the Jews or the blacks are going to take over the country, and they're the only ones that can save it. There's one guy in Santa Barbara who had a private army.

Fry: Who was he against?

Lynch: Everybody. He was protecting the United States and himself [laughs] against all our enemies, foreign and domestic. It was a big problem. I think we put a stop to it at the time. It will pop up again. It is popping up again.

Fry: What did you accomplish in the way of getting legislation on this issue? You got the fifty-millimeter bore law.

Lynch: That's what we got. We got enough in the way of restrictions on the type of armament that they could have that it would put a big crimp in their business. It's no fun unless they've got these sophisticated weapons and they can play with them. They used to go out in the desert and fire cannons. Unless they can do that, it's no fun. You can't stop them from having rifles and shotguns. Nobody tried to. That's meaningless to them. That's just for a parade.

Fry: Was there any pattern of other organizations in which they also had membership, like the Nazi party?

Lynch: Ku Klux Klan. There are different names, the Knights of the White Camelia or some goofy name like that.

You know, this is a funny thing in human nature. It's nothing new, even though it had these bad overtones. Men like to parade in uniforms. Years ago, when I was a kid, you had the League of the Cross Cadets. Everybody had a marching drill team. Every Catholic church had a branch of the League of the Cross Cadets. We used to call them the raggedy-ass cadets. And they had the California Grays, I can remember now. They marched in every parade. They looked like West Pointers, same uniform.

Fry: All they did was march?

Lynch: Yes. You've seen them with their shiny files and all that.

Fry: Maybe what society needs is more of those.

Lynch: But it's only one step for a man to come in and take over a group like that, because they're already inculcated with the idea of wearing the uniform and carrying the gun.

Fry: Following the leader.

Lynch: It doesn't take much to get them going. The world is full of nuts. There's some on this block.

Fry: In the bigger picture, this was happening just as the right wing was getting more and more clout within the Republican party, which showed up finally in the returns in the '66 election. Do you see all this as a part of--

Lynch: It's part of the times. Look at the general down in New Orleans that Oswald went to shoot, a ring-winger, the head of the Nazi party. He had a big following. And they're tough.

Fry: Did you run across any definite plans of action that any of these groups had? I mean real?

Lynch: Not real, no. They weren't real. They were generalities. "Save the nation from this." "Take over the teaching in our schools." They had all these little things that object to the liberal teaching in the schools, or anything they could think of. They're all right-wing extremists.

Fry: At that time there was a lot anti-Communism, I suppose.

Lynch: Not like there was before that. Much of that goes way back to when Tenney was in the assembly. That was funny. All you had to do to get a bill killed in his committee was to tell him that the author was a Communist.

Fry: [laughs] I thought that was still a part of this.

Lynch: [referring to paper] This, it says here, is a McAteer bill. Gene put it in for me.

Fry: I wondered if you and Gene McAteer--because you were close friends, right?

Lynch: Yes. I was his closest friend.

Fry: Did he carry a lot of your legislation?

Lynch: Yes. [laughs] Not only carried it, he put it through. Or he helped us kill legislation that we thought was unfavorable. He was on the state senate government efficiency committee, where most bills had to pass before they got onto the floor.

Fry: Here's something from March, 1965, in some kind of a Democratic newsletter that talks about you and your efforts to control these private armies. McAteer is shown here as putting in a bill.

Lynch: I never saw it.

Fry: I think it was just for one county.

Lynch: This is when I was AG. That's my old DA picture. This was the time, yes, and Gene was carrying the legislation. Everybody wanted to carry it, I might add. That is, most of them did.

Fry: [laughs] That's something that wasn't, I suppose, going to be a majority issue at all.

Lynch: Yes.

Fry: There was one little story that said that a rifle belonging to California extremist leader Terrell Cady was found in a cache that your office discovered in March, 1965.

Lynch: I see it there, but I don't know what that means.

Fry: I thought maybe you could give us a lead as to who Terrell Cady was.

Lynch: No.

Enforcement of Narcotics Laws

Fry: Also in the sixties we saw the rise of drug abuse.

Lynch: I guess it was the rise of it, but it was the recognition of it that's more important. It was there. It was probably rising, yes, because of conditions at the time. You had the drug culture, so-called, the flower children and all that sort of stuff. But drugs have a funny history. And this goes back to when I was with the federal government. It's been a proliferation of drugs that today--there are drugs today you never heard of.

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Lynch: Back in the thirties--'33 to '43, let's say--you had opium in Chinatown, and you had morphine with a limited number of addicts. You didn't have anything else. You did have cocaine and then some morphine, mostly opium in Chinatown which came in from the Orient and from the Philippines. There was one really big case here. That was the Ezra brothers, who were bringing morphine in from Shanghai in oil drums. They had false-bottom drums. They had great big long sacks of morphine that they had hung underneath. They had tung oil in the drums. They were importers. [laughs] They were known as the black beetles. Anyway, we prosecuted them, and they got ten or twelve years in the pen. They were very prominent here in San Francisco socially. That was about the biggest narcotic case that I can recall in those days, outside of picking up the Chinese for possession or for smoking, or a customs raid on a ship. There's no opium any more. It's not worth bringing it in.

Fry: Are you talking about the thirties or right now?

Lynch: Now, there's no opium around. There might be, for some old Chinese. He might get it for medicinal purposes. Cocaine passed out of the picture. Morphine became more prominent. There weren't any of these other drugs. Then as the years went on, about the time you're talking about, these other things began to appear, for instance, Mexican heroin, and you had many more addicts. But then you started getting the hallucinogenic drugs, LSD and angel dust, and cocaine has come back, so there is a complete change in the picture. It wasn't a disturbing problem, let's say. In my day kids using narcotics was unheard of. You'd have a heroin addict--

Fry: You mean in the thirties?

Lynch: Yes, into the forties. When I was first DA, I doubt very much that we had any trouble with the young drug addicts. As time went on the thing just kept growing, with the coming on the market of all of these--I call them pharmaceuticals--and marijuana. You never heard of them picking up ten tons of marijuana like they do now. I don't know how much it costs now, but a kilo of marijuana was unheard of.

Lynch: I don't know anybody who smoked marijuana back twenty years ago. They probably did, but you wouldn't go into a grocery store, like you do now, and see marijuana papers spread out at the counter. You had them, but that was for rolling Bull Durham. The only ones you had were the ones that came on the package and Zig-Zag. But now they've got about twenty different varieties right there in the Safeway stores, and other stores.

Fry: And all kinds of so-called head shops.

Lynch: Oh, yes. They've got one right down here. Americans are fad crazy. The world is fad crazy. Look at your group going over to Switzerland because they want to hear folk music. Every kid in the world, that I've seen, is wearing jeans. [laughter] Old ladies two ax handles wide--they're wearing them. I don't know who the hell makes them. It must be Omar the tent-maker. But American fads spread all over the world, and everything is a fad.

I can't imagine anybody, except some depraved person who's sick or in pain, deliberately sticking a needle in his arm. But they do it.

Fry: Drugs became quite a problem in the public schools in the sixties when you were attorney general.

Lynch: It still is.

Fry: Sure, but that does need to be pointed out as--

Lynch: Now there are more sophisticated things. A new fad now is angel dust, whatever that is. Five or ten years ago it was LSD. Everybody was taking trips. A couple of people down here took them out the window with no clothes on and wound up in the meat wagon.

Fry: What did this mean to your office?

Lynch: It didn't mean too much to us, except on the upper level. That is, on the suppliers. We didn't have the manpower or anything else to go after the people who were users. That was a local problem. We had a very big narcotic unit. We worked very closely with the Mexican government on really a personal basis. I had two Mexicans in my office. They had two of my people in Tijuana, who were Mexican-Americans. We had a joint effort in trying to get the big smugglers, not the people coming across the border with a car. That was up to customs people and the federals. We were after some very notorious--I can't remember the names now, but one was the biggest in Mexico. He was smuggling in morphine by the truckload. I think we caught himm. But this was only one phase of what we were doing. California had people in Mexico working with the Mexican police.

Fry: So the two men in Tijuana were your men.

Lynch: They were our men. Besides that, we had over a hundred other men. We were going after the big ones, the movers. We had nothing to do with the man who lived in the neighborhood and was about the fourth in line, who was just peddling bindles, as they called them. They're just single doses. A bindle is a package.

Fry: This is still morphine?

Lynch: Not morphine, heroin. There is no morphine. Heroin is a derivative of morphine, much more powerful. It's a matter of economics. If you move more heroin and get more money for it, then it doesn't take up as much space.

Fry: Where was it coming from originally?

Lynch: From Southeast Asia and from China.

Fry: Through Mexico to--

Lynch: No, coming directly by ship, any way they could get it in. But it's been coming from Mexico for a long, long time. On the West Coast we get mostly Mexican heroin. At least to the Rocky Mountains it's mostly Mexican. On the East Coast, it's not. It's Turkish opium, into France, Marseilles ordinarily, and then into New York where it's refined. They do a much better job. The French heroin or morphine--they do both--is pretty pure. They have very sophisticated labs. The Mexican is not. You can smell it a mile away because they treat it with acetic acid, which is vinegar. It's cocoa colored. It looks like chocolate or cocoa.

Fry: Did you work with other countries the way you worked with Mexico?

Lynch: No, that was not our business.

Fry: I know it wasn't your business, but you were somehow able to do this with Mexico, so I thought you--

Lynch: That was because we were neighbors. No, I participated in conferences on a national level, but that was with Mexico. We gave them airplanes and helicopters, which I'm sure they enjoyed. They didn't chase bandits with them. Everybody rode all around Mexico. I think it was stupid.

Fry: That didn't really help much?

Lynch: No, not in Mexico. [laughs] There's too much mordida, graft. If you go to Mexico, you'll find out. Drive your car down there, and hope you get it back.

Fry: [laughs] I heard some stories.

Lynch: They're true.

Fry: As the type of drug use and drug abuse proliferated, did you have to add staff and do more research?

Lynch: Yes, we put on a much bigger staff. It was growing all the time. I'm sure it's probably 50 percent higher than when I was in there. I can recall the first year I was in, I put in thirty deputies alone. California was really booming in those days, getting up to like 20 million. It was the largest state in the union--Pat Brown passed that hurdle--the fifth largest nation in the world economically.

Fry: Do you mean that you put on thirty more deputies just for drugs, or in all?

Lynch: No, in all. We put on more manpower in the narcotic division and in all divisions. I was reading a speech there, where I said I had 185 deputies. I'm sure that Younger has 300. He'd have to, to keep up with the growth of the state.

Fry: One speech comes to mind where you urged public schools to do more drug abuse education.

Lynch: Yes. The people in narcotics would prepare those things for me. They knew the problem. I knew what they told me. They kept me informed. They would come to me and say, "One of the things that can be done is to get more drug education." If the schools want, we'll do it for them, but they resist all that. That's another problem.

All the schools, particularly the public schools, will resist, or did resist, any type of education you wanted to bring in. You've seen some of these people that teach in school. They're not competent to do it themselves, and they don't want anybody coming into their schools. They've got one big answer to it: you don't have teacher's credentials. I had that when I was district attorney.

We had a marvelous thing going. We used to take everybody in the city--a representative of the mayor's office, the chief of police, the chief of the fire department, the juvenile parole officer, juvenile officers, the DA, the whole array. We'd go to the schools, in the auditorium, and take an hour at a time, once a year in each school, and let the kids fire questions at us. It lasted one year, and they wouldn't let us go any more. "You're interfering with the teaching." [laughs] That wasn't "the way we teach." Well, sure, that's true. It's a matter of record. The kids got more out of it than they get out of any civics class.

Fry: I remember from my own personal experiences as a school parent that there were people who went around and taught and made speeches in the evening to parents in the schools.

Lynch: Oh, that's different, yes.

Fry: Were you involved in that any? On drug abuse?

Lynch: No, my people would do that. They knew more about it. In other words, when it was going to be something like that, I'd have Joe McVarish or somebody in narcotics do it, because they knew what they were talking about.

Fry: The ones that I knew about were local.

Lynch: They can do it, too. They're just as competent to do it.

Fry: All through this period, and continuing up to the present day, one of the main questions was the ambiguous nature of marijuana and the questions about it, whether or not it led to harder drug use, whether or not it was actually harmful to your health, and whether or not it was addictive. How did your office handle marijuana?

Lynch: We handled it the way the law read. The local people handled it. We had all those opinions, pro and con. I know that there were con opinions saying that it was harmful, that it brought on certain disabilities. Nobody said it was addictive, per se. But they did say that psychologically it led to other drugs. People looking for a kick got tired of that kick, and they went on to something else. That's where a lot of people got hooked on heroin. Those opinions were pro and con, but there wasn't the controversy in my time about liberalizing the laws, except people were saying, "Do away with it." It was only in recent years that they came along with the idea of putting this one-ounce provision, or whatever the hell it is, on the law.

Fry: You had a proposition on the ballot in '66.

Lynch: I didn't put it on there. [laughter]

Fry: No, I'm sure. But, the proposition was to decriminalize marijuana.*

Lynch: It met ignominious defeat.

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*This proposition was submitted to the secretary of state's office, but did not receive enough signatures to qualify for the ballot.

Fry: You made speeches against it.

Lynch: Oh, it's ridiculous. That came up in the crime commission.

Fry: In this report, the president's crime commission--?

Lynch: No, I don't know what's in there. But it was in our meetings. I remember one time at a meeting Kingman Brewster of Yale, the president of Yale, and a few others who had never been around law enforcement, came up with the suggestion of decriminalizing marijuana. So did Jim Vorenberg, who was the director of the study. He came up with it, and they were all going to vote. Everyone just kind of looked at me. Tom Cahill and some of the others looked at me.

I just got up and said, "If you think I'm going back to California and tell every mother in California that I voted to make marijuana free to all the school kids, you've got another thing coming." Then they decided they didn't want to take it up. But that never occurred to them. You know, they were being on a high plane. Well, that's fine.

Fry: [laughs] But you had to come back and face the parents.

Lynch: About like a free lunch.

Fry: Here's an article from the San Francisco Chronicle, June 23, 1965, in which you say that the 1965 legislature was the best legislature in ten years or more on drug abuse laws. Later on, in the same time period, you applauded the legislature for its record on general law enforcement legislation.

Lynch: It's a mechanical thing, you know. What happens is that the district attorneys' association has a law and legislature committee. I had been a member of that for a number of years. Year after year we had gone to Sacramento with programs and gone down to defeat. This particular time we had what we always thought was a substantial program. We were very happy to get most of it through because--I think just like today over Jarvis-Gann*--the legislators were beginning to start looking at themselves. They were almost getting a reputation of being too damn liberal with criminal law enforcement.

Fry: I wondered if it was a different legislature that were elected in '64 or what happened.

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*Jarvis-Gann refers to an initiative amendment to the California constitution, passed in 1978 as Proposition 13, which radically limited the amount of property taxes local governments could assess.

Lynch: There were strong men up there who were law-enforcement oriented--McAteer, Huey Burns, [Richard J.] Dolwig, perhaps George Miller. I don't know whether Regan--no, I guess he was gone. There were a number of ex-DAs [laughs], and Frank Pierson. Let me put it this way--which may sound surprising--they paid more attention to their business than the legislators that I knew in years gone by, most of whom never did show up. I know one that never got past North Sacramento on the way to the capitol.

Fry: They were getting more conscientious in '65? Why?

Lynch: There were better men. New men had been elected. There had been a great crowd in there when I first was up in Sacramento, in the days when Cap Weinberger was up there, for example.

Fry: In the early fifties.

Lynch: Yes, the early fifties--no, back in the forties when I was going to Sacramento from the DA's office. Then people of that stripe were in the legislature. They went out, and then a bunch of politicans [laughs] came in.

Well, I'll name names. San Francisco was represented by people like Charlie Meyers and Bernard Brady. There are a couple of more. They just were bum legislators. Brady was a glad-hander, and Meyers didn't know whether it was Christmas or raining. He just went around handing out candy to the kids or handing you a copy of something that he had, or the members of committees. He had a little pamphlet that they passed out free. He'd come up with these, and he'd hand you one. Then he'd go around to all the legislators. If he saw some bill he'd say, "Will you put my name on it?" Did you ever look at a copy of a bill, with the names on top?

Fry: Yes, lots of names.

Lynch: Maybe the first two or three are the co-authors. The rest of them took a look at the bill and said, "Well, put my name on it." Then they go home and say, "That was one of my bills." That's the type. There's a lot of them. A lot changed.

Fry: How does this relate to the big change in the legislature in 1956 and '58, when the Democrats began making a big sweep and they got the majority?

Lynch: Then it got back to a little bit more liberal. You started getting people like Johnny Vasconcellos and several others of that stripe. He's a very conscientious guy. I'm an admirer of Vasconcellos. He says what he thinks. He's not one of these guys who says, "Put me on it too." He'll be a voice of one, in opposition, and more power to him. He makes a lot more sense than some of the people who vote with you.

Fry: In '64 the legislature was less liberal.

Lynch: There's another thing to it too. It's pretty nice to be on the side of the attorney general. You run for office every two years, and the AG could come into your county--as he did--and speak at a little rally for you or a fundraiser, which I did. I even did one for Congressman Bob Leggett over in Vallejo. I spoke for a number of assemblymen.

Fry: Let me read into the record here this newspaper article that we were talking about. It says, "Lynch's 'showcard' showed the legislature passed laws which increased penalties for dangerous drug violations, authorized medical detention of suspected addicts to permit diagnosis and treatment, and increased controls on glue, codeine cough syrup, and on the pain-killing drug--"

Lynch: Percodan. That was a hell of a fight. Percodan people were represented by the then Democratic national committeeman, Gene Wyman. There were all kinds of pressures on that one.

Fry: Yes, the whole Democratic party against you on that?

Lynch: Oh, no, but he was. He was an advocate, that's all. But, I'm sure he tried to pull a few strings and collect a few debts.

Fry: Percodan was a prescription drug?

Lynch: Yes, but it wasn't at the time. Everything you read there is something new. It's new.

Fry: One of the problems was that a lot of the drugs that were being abused you could just buy over the counter. So, this is what you were trying to get at with Percodan?

Lynch: Yes.

Fry: [again reading] "'Also,' said Lynch, 'the legislature approved a pilot treatment program for juvenile users of dangerous drugs and protection of narcotic informants.'"

Lynch: Those are probably bills that somebody else put in. I doubt very much if I put in that one about the juveniles, but somebody did, and I supported it. Actually, they're not all my bills. I was merely reviewing what they did.

Fry: Yes, but it did seem that all of these were--

Lynch: To be perfectly frank about it, it probably occurred to Tom MacDonald, or whoever was the PR man up here, "Now, this is a good thing to put out a statement on. They've finished their session, and it's good politics with the legislature to blow a little smoke in their direction."

Fry: It's not often that they get a bouquet handed to them, and it's not often that the press will even print it, because it's not controversial. I wonder about the effect, in your office, of the gradual swing in attitudes toward drug abuse. That is, taking it out of the law enforcement and putting more drug rescue units in.

Lynch: That's a good idea.

Fry: This was the period when community drug rescue units started up. Many of them had kind of a local agreement with police departments that the police would not come on the premises, that they would handle the drugged people who came and turned themselves in there for treatment. It was an "iffy" transition period.

Lynch: That's something you'd handle as a district attorney. For example, if I was in a DA's office, if the people were doing a good job, you'd leave them alone. If it was merely a scam of some kind, bingo! You'd go in and bust them.

Fry: I guess they had both kinds in the state.

Lynch: Some people don't realize that when you are, for instance, a district attorney or even an attorney general, you're elected to do a job as you think it should be done, and to the benefit of the public. You're not supposed to be a fellow who just reads the book and says, "You come under chapter 37--into the bucket."

Fry: You have your own discretion.

Lynch: That's right, and if you don't exercise it, you're just being an automaton. That came up many times as a DA. If somebody's doing a little thing like that, and they're doing a good job, leave them alone. But, if they get out of line, tell them first, and if they stay out of line, then they're in trouble.

I remember I had a famous argument with George Draper, who still writes for the paper. He came in to me one time when I was DA. A fellow had set fire to a building down in an alley off of Market Street. He was the son of a very wealthy family in the Hawaiian Islands, one of the big five, and a friend of Draper's. Somebody put the fix in with the grand jury, and I was tipped off that it was Draper. See, ordinarily we'd take the case to the grand jury. If it was arson, it might be a thing to put in in a preliminary. So the minute I heard that, I put it in as a preliminary.

Draper comes in to see me. He wanted to know why. He says, "Why are you taking it to a preliminary? Don't you take all these cases to the grand jury?"

Lynch: I said, "No, not all of them." I knew what he was up to. We went back and forth. I said, "Look, George, I had to make a decision, so I made the decision." Then he starts to get like a newspaperman.

He says, "I want to know why you made that decision."

I said, "Do you really want to know?"

He said, "Yes."

I said, "Because I get $24,000 a year for making those decisions. Do you have any more questions?"

He said, "No, I guess that's it?" [laughter]

But, that's the story. I'm not trying to inject something into it, but that's the philosophy that you must follow. If you want to get somebody just to sit in a desk, you can get those guys for $12,000 a year. They come cheap. Get four for the price of one.

Fry: In your position, in order to exercise this power of judgment that you had, you had to really keep up with currents in society, such as the explosion in the use of drugs.

Lynch: Yes, you knew that. Let me give you the definition--another definition--of an attorney general or a district attorney. He is classified under the law, in opinions, as a quasi-judicial officer, and that tells a big story. That has other connotations as to whether or not he can--he can't be sued for making a decision, for example, because you're paid to make decisions. You're quasi-judicial. You can't sue a judge.

Fry: That protects you.

Lynch: Oh, sure, it has to. The Supreme Court of the United States has held that even though a DA or a judge acts so arbitrarily that it's just blatant, still you can't do anything about it. You can get rid of him, but you can't sue him and collect a judgment against him, because that's his job. Recall him and vote somebody else in--or shoot him. A DA couldn't carry on his job if some guy got acquitted and turned around and sued him for false arrest. It can't be done.

Fry: What all was your office able to do about this whole problem of the rise of heroin? The rise in street violence, muggings, and robbery--a lot of that was blamed on the heroin problem.

Lynch: You just have to try to stop the stuff from coming into the United States, that's all. You can't do it. The federal government has to do it because it all comes in over the border. There are no opium poppies raised in this country, at least not enough to supply more than two addicts.

Fry: There's a newspaper item in January, 1966, that you, or your office, accused federal agencies of neglecting responsibility for narcotics enforcement at the Mexican border. This was your testimony in the Senate Judiciary Subcommittee on Narcotics, in Washington, D.C. Then the narcotics agents replied to you.

Lynch: Now, that is stretched out by the newspaper reporter. I didn't accuse them. I pointed out that they didn't have anybody there. My point was in favor of the narcotic people, because they didn't have the manpower. Let's say they had x number--four people--in Tijuana. They should've had forty. That wasn't their fault. These four men are doing a wonderful job. So, the paper picks it up and says you're accusing someone. I wasn't accusing anybody. I was pointing out that they weren't putting the people in there.

Fry: Yes, it looks like they could've picked that up and made a little bit out of it for their own budget hearings.

Lynch: Sure. There's no story, say, in, "Lynch says they should have more people." It's "Lynch accuses them."

Fry: This is kind of interesting, where your office had to title the constitutional amendment to legalize marijuana.

Lynch: We had to title all of them. [laughs]

Fry: I thought the title that you came up with was very descriptive.

Lynch: It has to be.

Fry: I bet you thought of a lot of others.

Lynch: Oh, yes. We used to get all kinds of titles. We'd have conferences over which one we could put in. But, after all, we have to put in a title that is just that and no more. It has to be in so many words, and it has to be descriptive. Everybody criticizes controversial titles. One man is happy and the other one isn't.

Fry: Two months later you called a preliminary meeting in Los Angeles to plan a fall conference on the control of LSD, and what the index card said in the state library was "DMT drugs." I can't figure out what that is.

Lynch: I don't know.

Fry: At any rate, the point was that you were apparently calling conferences for this problem.

Lynch: I called it and had somebody go there probably. I don't recall. It was going on all the time.

Fry: In October you opened a northern California conference on drug abuse, in San Francisco, and you made a speech stressing the dangers.

Lynch: Yes, and we invited interested parties. What I would do in something like that is open the conference and then turn it over to the people who knew--my people, state people, local people. Most of these were interested citizens or representatives, like school people. Other people were juvenile authorities and things like that. I didn't lecture them. I just welcomed them and got them going.

Fry: Did you try to work any with the drug companies?

Lynch: We sued them.

Fry: I mean did you deal with drug abuse of legal drugs, over-the-counter drugs?

Lynch: No, not to any great extent. That was the federal government's job. That's the Food and Drug Administration.

Antitrust Actions

Lynch: We used to sue drug companies.

Fry: What would you sue them for?

Lynch: Antitrust. It had nothing to do with drug abuse--their abuse. We sued the Pfizer company for--I think we got $20 millions out of them.

Fry: I think you sued Pfizer and two other companies there, all under the Sherman Anti-trust Act.

Lynch: When I left, they had offered ten million. We wouldn't take it. They offered--we were 10 percent--they offered something like $200 million to settle it nationwide. No, $100 million they offered. There's a big article about it in the Wall Street Journal. We were supposed to just run in and holler "Hooray! Gee, well, that's great. We'll take the $10 million." When I left, we hadn't taken it. We didn't think it was enough.

Fry: How did you initiate that case? In other words, how does the attorney general's office first decide on a case like that? How does it come to your attention?

Lynch: In many ways. Maybe somebody else started it, and you just jump in. You get information from various places that they're charging you too much. Then you start going after them and find out what's a legitimate charge. They can't avoid it. You can haul them into

Lynch: court and examine them, file suit against them, get an order to show cause why they shouldn't be held in contempt if they don't give you information. Once you get the information, then you just go to work in your own place. Now we're prepared to do it, because in California almost everything is computerized. You can just go to any state facility that buys tetracycline, which this was, punch out the computer, and in five seconds you can tell how much you've bought. Or if you have to go through the books, you can go through the books. You find out how much you bought. You know how much you paid and how much you should've paid and you sue them for the difference. If you win, you collect three times that amount.

Fry: By you, you mean a consumer?

Lynch: Us. Attorney general. We got into a hassle where consumers were trying to get on the bandwagon too, but we don't represent consumers. Some localities wanted to represent themselves, usually because their lawyers were on a fee basis and a percentage. I remember in the tetracycline case there were a couple of communities who wanted to represent themselves. They got in trouble because they didn't know how to do it. But we were the biggest. That's only one.

We went after the pipe people; we went after the asphalt people; then after the people who put the bleachers in gymnasiums; then the valve people. You'd be amazed how many millions we'd spend on valves in a facility, brass valves, in toilets and everything you can think of.

But, we've got the records in California on those. You go to some states, and they don't know. They can't compute it.

Fry: These are records--

Lynch: Just regular acquisitions, regular stock records of purchases.

Fry: Are these records private, or are they kept by the state?

Lynch: No, they're kept in the facilities. You go to Atascadero state hospital and ask them to look in their records. "How much did you buy?" "Well, we bought it through the state." We'd go to the state. We've got the records someplace, mostly all well-kept.

Fry: This was sort of pioneering in this business of consumer fraud. You used the Sherman Anti-trust Act.

Lynch: That's not really consumer fraud.

Fry: Well, the consumers were paying too much.

Lynch: I know. It is defrauding consumers, but that's not what you call consumer fraud. Consumer fraud is bunco, really, like aluminum siding, phony roofing, all kinds of things.

Fry: But not just being overcharged.

Lynch: No. I mean pyramid schemes, like Holiday Magic and things like that, those are consumer fraud because they're bunco. It's a nicety of terms, I suppose, because if big business does it, it's not bunco. It's [laughs] the American dream. They are two different things. It's completely different outfits in the attorney general's office. Number one, consumer fraud is easy. You just go out and you catch some guy doing it. All you have to do is catch the people doing it. But, in antitrust it takes years and tremendous resources. The man who did it in our office, Wallace Howland, had his own staff, he had his own budget, he had his own travel expense budget, because he was a money-maker. He didn't have to rely on the fact that he had to go to my budget, the office budget for travel. He had his own.

Fry: Where did he get his money?

Lynch: From the legislature, because we put it in our budget, approved by the legislative analyst.

Fry: As its own entury.

Lynch: We always had a line budget. For instance, for travel, I had two. The rest of the office had to rely on a general travel fund, but I had my special one because when I traveled for the government I got reimbursed.

Fry: Did your office increase its antitrust litigation?

Lynch: Yes, very much.

Regulating Charitable Trusts

Lynch: Charitable trusts was another area. Now, that's separate. That's different. Years ago charitable trusts were completely unregulated. If people set up a trust of a couple million dollars and then put themselves on salary and all kinds of gimmicks as a tax dodge--a lot of people did that. With a lot of them, there was no way of ever finding out whatever happened to these trusts.

Lynch: So, we got a grant, during my time, from the Russell Sage Foundation, to set up a register of charitable trusts. We got legislation passed so that every charitable trust in California had to file a report every year. You could examine those and make sure that the trust was being used properly, that is, for the purpose for which it was intended, and that it wasn't being looted by somebody for their own private scheme. It stopped a lot of people from setting them up. We ran into some real dillies. It would be a one-man charitable trust where he'd get all the money in there and put the income into it and not pay taxes, and they didn't invest the income.

As a matter of fact, for years, I think it was Patman in the Congress who tried to get legislation through. It was fought bitterly by Ford and all the big foundations because Patman wanted to make it the rule that they had to spend a definite percentage of their income for the purposes for which the trust or the foundation was set up. They fought it very bitterly because they just liked to increase the assets and take care of a lot of people. They're overloaded, some of them. Some of the local ones are just overloaded with members of the family.

Fry: Was the charitable trust register legislation something that the--

Lynch: I don't recall how that got in there, no. But, I know that it took a lot of doing, putting it together, and it was financed in part by the Russell Sage Foundation which is rather an anomaly.

Fry: Why did they do that?

Lynch: Maybe part of their foundation was to see that foundations were run right, but they did give us the money.

Fry: You did have some cases then that you prosecuted on the basis of that?

Lynch: Oh, yes. We cleaned up a lot of them. I couldn't give you details on it, but we put a lot of them out of business and made them reform their practices. It was compliance. Part of law enforcement is compliance rather than punishment, particularly on the civil side.

In a district attorney's office you get people who come in about barking dogs, people playing the violin all night, or rattling the garbage cans. You don't want to put them in jail, but it's a violation of the law and you want them to stop it. So, you get them to stop it, and that's the end of it. That's the way it is with lots of things that you come across. You get compliance.

Actually there probably wasn't a law prior to the time that these regulations were put in. I don't know whether we had any law--I think they were all regulations--other than the enabling act, probably the Foundation Act. I don't know what it was. But anyway, it served its purpose.

Lynch: There are all those different categories: antitrust, charitable trust, consumer fraud. They're all different. Some people lump them together. Most consumer fraud just gets a name. It's just plain fraud, no different from any other fraud. For instance, stock fraud where somebody defrauds you, you wouldn't call that consumer fraud. But if it went out to four or five people or a hundred people or two hundred, it becomes consumer fraud.

Fry: Did you personally have a lot to do with setting policy for what you were doing in this area?

Lynch: Yes.

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Lynch: The people in the field would bring it in and recommend that we go after it. For instance, the hub of this sort of stuff in California is in the Los Angeles area. The man in charge of the unit down there, Herschel Elkins, would get the complaints which come through police departments or private citizens. He would recommend legislation, for example, or that we go after certain groups. He actually didn't have to recommend it. If they were violating the law, he just went after them. He was very good at it. I'm sure he still is.

But there were all kinds of them, particularly in L.A. They thought up a new one every day. There aren't any new ones. They are all variations of an old one: making somebody believe they're getting something that they're not getting, no matter what it is.

Fry: Did you have regular staff meetings with your agency heads where you would talk over things?

Lynch: We'd have a staff meeting if there was some policy to be set. They weren't the usual thing. You met with them on a daily basis. You have to get the picture. I would be in San Francisco on Monday and Tuesday. I'd go to Sacramento on Wednesday. Immediately Charlie Barrett, who's the head of the office, would come in, and the one you met, Bill Shank, or Bernard would come in. They'd enumerate some of the problems they had, on which they wanted advice. We'd talk it over. Then I'd take off and go to Los Angeles the next morning, or I'd come back here because it was awfully--for instance, here, I'm in San Francisco on April 30, and I'm in Los Angeles on May 1. I probably was hiding out in L.A., because I had mostly our own people coming in. I was there the next day.

Fry: What do you mean hiding out?

Lynch: I didn't publicize the fact that I was there, so people couldn't get me on the phone. I was getting calls from Wynne Shelton (that's my Sacramento office); from Assemblyman Avasi; Louise Renne (she was up here, one of my deputies; she's now a supervisor); Ed Pauley, and Ken Horn, who worked for me.

Lynch: Then the calls began to spread out a little. Word got out that I was in town. I started getting calls from the governor's office, Betty MacDonald, whoever she is; Sheila White, the governor's office; Pete Peterson, the Good Fellowship Foundation, whatever that is [laughs] (it's probably a scam); Tom Saunders; Wynne Shelton, Sacramento; Frank Damaral, a deputy; Dick Nolan, the columnist here; Ed Meese from the governor's office. No, he wasn't in the governor's office then, was he? No.

Fry: Is that your telephone register?

Lynch: This is the daily journal.

Fry: [reading] Daily Journal of the Attorney General's Office. That's the one I hope you'll put in The Bancroft Library.

Lynch: Yes, I can put them in. I have one for every year.

Fry: That will help supplement your memoir.

Lynch: This can make a liar out of me.

Fry: [laughs] Well, we'll just have to check it against the transcripts.

Lynch: You interpret it. These are incoming calls. This tells who took the call. For example, the first three or four calls were taken by Nancy Jewel. Lionel Alanson, that was a personal friend. Marshall Mayer--he's a deputy. He was probably in Sacramento. Alanson again. Linda Boruff--that's somebody we don't know, so Nancy Jewel takes the call. Mr. Rowland--I don't know who he is. I took the call, but it went through Nancy. Then Mr. Johnson. Miles Rubin--he's in charge of my Los Angeles office. Mr. Rosenthal--I thought he was probably the assemblyman. I talked to him and referred him to Wiley Manuel. Bishop Morris, I don't remember. Ray Carldale is Compton. I took the call.

Then you can tell something happened, like here. I can almost reconstruct it. Somebody else put this, "Mr. Meyer, nut." Connie Crawford was in my office. I took a lot of these calls. You'll see a lot of newspapermen in here, I'm sure. Dan Del Carlo--he's a labor man. Something was cooking then, mostly between me and my other offices. Here's Sacramento, here's Los Angeles, and here's Van Dempsey in the mayor's office. There was something doing.

Fry: That log will be something good to have as a complementary to the interview.

Beginnings of Criminal Identification and Investigation

Fry: The other big thing that happened in your tenure that we haven't talked about yet was the computerization of criminal identification and information.

Lynch: That was an ongoing program, started by the people in the departments who got appropriations piece by piece to start putting these things together. You can't put one together all at once. It started off with some departments computerized. The board of equalization I know did. You had individual computers. You had your guns in one. You had your automobiles in one. You were at a stage one time when the Los Angeles sheriff's department had computers that would tie into ours in Sacramento, and they would file theirs. Their stuff went into ours too. This had to do with stolen cars. That's so they could put on all these television shows where you see them talking [laughs] on the radio to Sacramento.

But gradually we built up our capability, where we could store all information in the criminal field. We have it, but the question is, "What are you going to do with it?" You could phone in; you could write. When I first took office as DA, if you wanted to get a criminal record, or a record of whether somebody owned a gun, a pistol, you'd write a letter to Sacramento in the ordinary course of business. Five days later you'd get the information back. Or you could phone, and they'd say, "We'll call you back in an hour." They were too busy. That gradually was refined down to the point where the local departments could communicate, that is, the big ones, Alameda, San Francisco, San Diego, Los Angeles, for example. But that was beyond the capabilities of Sierra County, Alturas, or all these little other counties.

So, we set up a capability where we're here in Sacramento with all of this information. We have key stations out in four corners of the state, where the sheriffs of these smaller counties could use their radios to contact our key stations, who would take the information and had the proper machinery to send it in, computerized, into our computers. They could get it back in a matter of seconds and then relay it out to the man in the field. It is possible that a man out on a lonely road can use his radio to call his own office, if it's the sheriff, for example, and the sheriff, by radio, can get right away to one of these stations. They go into the computer, back out to here, and he gets it back. That shouldn't take more than a couple of minutes. That's the system that we installed. And Reagan had a lot to do with it because he supported it.

Fry: The newspaper stories on this subject appear throughout both the Brown and Reagan administrations.

Lynch: Oh, yes. California was way ahead of everybody else on that. It not only had that capability, it had the capability of going to Washington, to the federal computers, which have a limited number of pieces of information, that is, limited fields, like stolen property over $5,000, and stolen cars.

However, during my day--and I don't know whether it's in now--the federal government was going to set up an interstate computer in Arizona which states could file into. Then other states could pull the information out. It's just the miracle of computers. They're very sophisticated and very expensive to put in, but it saves millions of dollars in wasted time. It's a mechanical thing. Reagan supported it. I got a lot of pictures upstairs where we were congratulating each other for the benefit of the press. I weighed 155 pounds, I remember. That's why I quit.

Fry: There was a newspaper story that an aerospace system was involved in that.

Lynch: We had their whole building, I think.

Fry: In Los Angeles?

Lynch: No, up in Sacramento. They might have been involved. They probably furnished some of the equipment, or I think they did.

Fry: You were modelling it on one of their systems.

Lynch: No, I think they probably did what they call the software. They may have; I don't know. We didn't have the capability. They would have the capability of designing the system. You have to go out and buy the equipment. The design is what they call the software. They probably did.

Fry: This was early, in September, 1965. You had asked the federal government for a half million dollars to help pay the cost of designing a rapid communication and computer network for California law enforcement. The headline here is, "Brown and Lynch on 'Crime Crisis.'"

Lynch: Same old stuff.

Fry: [laughs] So, you had to have the "crime crisis" in order to do this.

Lynch: It was a crime crisis. We were using horse and buggy methods when modern technology was available. There's no reason for a state like California to be back in the horse and buggy days where you're using the mails and the telephones.

Fry: Then there was a crime council formed, that the press talks about on November 30, 1965. It looked like it might be a vehicle for this computerization program.

Lynch: No, that is formed as an outgrowth, I'm sure, of the study that came out of the crime council report. That's what we called it, a council on crime and criminal justice. I was the chairman of it. That's the only one I was the chairman of. Dick McGee was vice-chairman.

Fry: This one was early. This was '65.

Lynch: I don't remember this. There were so many of these damn things. [laughs]

Fry: This story on the crime council is really a story about the first job of the council, to establish priorities. It recommended a $100,000 study by the Aerospace General Corporation engineers. I wondered why you were taking advice from engineers.

Lynch: Why not?

Fry: Then I read that the Aerospace General report had urged that aerospace systems--procedures--be put to work to develop an information network for all branches of--

Lynch: Yes. We didn't have the capability to do it. You have to go to the experts. That so-called council--I don't know who was on it, but we didn't have a meeting hall or anything like that. Dick McGee and I used to get together. [reading from article] You had fourteen law enforcement agencies--police, prison, parole. That sounds to me like the other one. When was this?

Fry: Oh, the federal one--let's see.

Lynch: No, this was published in '67. That was '66. It was published in February.

Fry: So, this was earlier than that. I guess California jumped the gun again and got there a little early. Could you put this whole effort to computerize in perspective? Was this a big push in your office at the time?

Lynch: Yes. You didn't meet any opposition. This was like motherhood.

Fry: Except getting money.

Lynch: We didn't have any trouble getting the money. I don't recall any at all. There was a recognition that this was something that had to be done. It was really costing us more money to do it the other way

Lynch: because it was such a burden on everybody. Here we have all these marvelous facilities in Sacramento, and they weren't usable, except by mail or by carrier pigeon, to the man up in Mendocino County. If a policeman picks up a stolen gun off a man, or a gun off a man, he can just stand there and wait for the reply to come back. The computer, when it's addressed, will give the information out in less than two seconds. They can store a million items a minute in those things, more than that.

Fry: Is this California's own gun registration?

Lynch: Yes. You've got six million of them in there. It's not gun registration.

Fry: What do you have in California?

Lynch: It's guns that you come across in law enforcement. If they're sold, in California you have to keep a record of all sales. You get those records. If they're stolen, you get a record of that. If they're recovered some place--any gun that comes into our hands, you make a record of it. You're not registering it.

Fry: So you can't identify the individual gun, if they don't each have a number.

Lynch: Yes. Every one has a number. If they file it off, we can still get the number off the gun. That will surprise a lot of people.

Fry: Is that a special number just in California?

Lynch: No. Every legitimate gun made by a gun manufacturer has a serial number, every one, every gun of any kind. Every camera has a serial number. Every appliance has a serial number. Whenever those come into our hands in any way, we make a record of them. They are very, very useful. I told you about the Kreski case. That's what broke it. We didn't have the gun.

Fry: You did not have a gun?

Lynch: No, but we knew the gun had fired a bullet. We had the test bullet which had been fired out of a gun. He had the gun. He killed his wife with it, and he threw it away. But, he had taken a gun out of evidence, a Harrington-Richards gun. We were able to prove by records that that gun had been used in a holdup, and where it had been purchased. In other words, we traced it. We started back from here and brought it up to Kreski. He didn't buy the gun. He didn't think there was any record of it, but there was.

Organized Crime in California

Fry: The only other big topic I have left is organized crime. On June 4, 1969, your office released a report in which you say that the representatives of organized crime were active in California. That would be during the Reagan administration. I think we've got a copy of that. The report also said that Mafia leaders like Salvatore Bonanno were in San Jose, that there were casino-connected crimes like Willard G. Price's murder, but that a lot of these men are now involved in legitimate businesses.

Lynch: That's right.

Fry: The James Fratiano trucking line.

Lynch: Jimmy the Weasel.

Fry: Sentenced for labor code and public utility code violations.

Lynch: We busted them.

Fry: Plus petty theft. That kind of caught my eye. I wondered if it was still a problem (as it had been in the days of the old crime commission under Earl Warren) to find a way to nail these guys under a criminal code, instead of civil, so the judge could grant immunity to witnesses.

Lynch: That wasn't civil; that was criminal. They were not engaged in a recognizable scale in gangster activities. They were here--just like Younger put out a report about all of their hoodlums in California. They've maybe shaken a few people down, but they're not doing like they did, for instance in Chicago, where every loaf of Italian bread had a one-cent stamp on it and every quart of booze. If you opened up a bar, you had to buy your towels and your glasses and have your laundry done by the mob.

There's a little bit of that in places in California, but they're preying on their own. They couldn't get away with it here because the people would scream. Can you imagine a restaurant like Ernie's having that done to them, or any big restaurant, Joe Vanessi's? He'd say, "Get out of here." All you would have to do is say it, and the whole town would be on them. The people wouldn't stand for it.

But, they're out here, living here. For instance, I told you about La Costa. That's a matter of record. That's a big country club down in southern California where they have the Tournament of Champions, golf. They have all these TV things. All the psuedo-socialities go down there. It's run by--first of all, it's Teamster money from the eastern Teamsters, not the western, the midwest conference, Jimmy Hoffa's outfit. It's their money. It's run by Moe Dalitz.

Lynch: Moe Dalitz is a gangster, but he's running a legitimate place. It's legitimate. I made speeches there to the bar association. He had the old Desert Inn. He chased Wilbur Clark out of his own club down in Las Vegas. They just told him, "We're moving in," and they moved in. They took care of him, gave him a nice house on a golf course. He's mumbling to himself yet.

There're two groups, the Jewish and the Italian Mafia. Bugsy Siegel wasn't Italian. In other words, Meyer Lansky, or Fratiano--he's Italian. They have a couple of places.

There was a bar down in La Mesa, California. It's full of hoodlums, but it's their own bar. You didn't have to go to it. It was their bar. There were a couple of people here. We knew who they were. I knew Fratiano. Our office knocked him off. It's the best we could do. But he's a guy--you just have to wait for him, because he'll get in trouble as soon as he gets out. He's in trouble now. He's going to get killed.

Fry: Why?

Lynch: He's blowing the whistle on the members of the gang before a federal grand jury some place. They've got him hidden away. He's fingering everybody. But we got him on this one. What he was doing was, on a state highway he got the dirt job, hauling dirt--by muscle. He had a bunch of guys working for him, and he wasn't paying them union wages or overtime. He was violating a lot of small things, but they were enough to add up, and we busted him on it.

Fry: Is that criminal?

Lynch: Sure. What he was doing was a violation of the law. [looking at papers] I'll bet Dalitz is in here. Where did I see him? Bonanno--he's still down in San Jose. He's going to do about twenty years now. They've nailed him on a cheap caper, shaking down some guy that got into debt because he was a heavy gambler. But, Bonanno is a slob. He's not such a big hoodlum. They were shaking down some petty guy and threatened to kill him. So now they're all back in the bucket again. But he's out on bail. Fratiano's been a gangster for thirty years. He can't sue you for libel; that's for sure. [reading from papers] He was sentenced for conspiracy to commit petty theft. Petty theft is a misdemeanor, but you charge them with conspiracy because it's a felony.

There have been incidents, one a year, so forth. People have disappeared out in the desert. There's action, but it's pretty much among themselves.

Lynch: There are two angles to the so-called Mafia. One is their own internal organization, where they bump each other off, probably for the good of the community. The other angle is where they prey on the public--loan-sharking, narcotics.

They may be involved in narcotics. I can't say they aren't. They may be in the white slavery. We just don't have a big prostitution business here. Most of our prostitutes, you find on the streets. That's petty stuff. You have individual pimps, mostly black.

Fry: If it were a mob type of prostitution operation, they would have their own houses, but they'd be shaking down the pimps. They'd just let a pimp know that he couldn't operate unless he paid x dollars a day or so much a trick. They wouldn't do that. They'd just tell him so much a day. They wouldn't trust him to count.

But we had them. We chased them out here in the years when I was district attorney, the DAs in various counties. They were operating in the olive oil and cheese business. That's one of their favorite rackets, for the Italian type, the Bonannos and the Fratianos, the old country type. They call them greaseballs, as a matter of fact. What they do--they used to go around to little Italian grocery stores (you don't have them much any more, but you used to have a lot of them), particularly those in Italian communities, and they'd tell them, "From now on, you buy your olive oil from us."

Fry: Or else.

Lynch: Or else. You pay a little bit more, and you don't get good olive oil. They had a plant up in Corning, and they used to adulterate the olive oil with sesame oil, which is cheaper. You can't tell the difference. They would mix. They'd sell cheese. They'd say, "You're buying <u>our</u> cheese." You know how much cheese we use. You can imagine how much the Italian families use.

We had a lot of them around here when I was DA. We had a big murder case, Nick DeJohn. I tried the case. We didn't get a conviction. In fact, they dismissed it because our main witness was a liar, and a dandy liar.

Fry: That was when you were DA?

Lynch: I wasn't DA. I was chief. But I tried the case. We succeeded in one thing. We chased them all out of here, and none of them have been around here since. They knew they'd get prosecuted, win or lose, which is not always the case in other places they've been. They know in California that if they step out of line, or if we can catch them at anything, they're going to get it.

Fry: What's their financial picture? Do they get money from eastern mob groups? Are they that connected to them?

Lynch: They're connected into those groups. They still run what you might call "gentle rackets." They'll get into a business like the produce business, and they use muscle to control it. It's hard to catch them at it. They just muscle their way in. They had one guy in New York who controlled all the artichokes coming into New York.

Fry: All the produce markets had to buy their artichokes from him, or else.

Lynch: That's right, and they paid a little bit more for them.

Fry: That's hard to find out about, isn't it?

Lynch: Sure it is.

Fry: Did you have a special investigator for this kind of thing?

Lynch: We had enough people so that some of them were just in that field. I had one deputy, a fellow named Dick Huffman, who was very good at it. He loved it. He's the one that nailed Fratiano. As a matter of fact, he was so good at it that the federal government took him over. He didn't leave my office. He still was on my payroll, but they appointed him a special assistant United States attorney in San Diego to prosecute some of these federal cases. That's how good he was.

Fry: How did their men do politically, in supporting legislation and--

Lynch: No, I've never seen it. I wouldn't get it; that's for sure. They're not going to give me any money. Their philosophy is, "Don't monkey with law enforcement." The worst offense anybody can commit among the hoodlums and the so-called button men is to shoot a cop. If someone shoots a cap, they'll take him out and shoot him, [laughs] because he might squeal. That's absolutely verboten.

Fry: What about bribing?

Lynch: They may do it on a local level, you know, a corrupt policeman or a sheriff's deputy. Or maybe, as they've done in other parts of the state--I don't know that they're ever done it here--in other parts of the country, they might bribe a local chief of police or a local sheriff. Not bribe, really, payoff is better. In other words, "Close your eyes while something runs." That has happened.

I always used to laugh because when Earl Warren was DA of Alameda County, the worst place over there was El Cerrito. [laughs] Everything went, but everybody ignored. I know that in Albany--

Fry: That was the worst place for what?

Lynch: Everything--gambling, prostitutes, and I don't know what else. There was a lot of gambling. I remember in Albany they had the Wagon Wheel which operated, obviously, with the knowledge of the peace officers. That kind of money, yes. But, whether or not the Mafia would give a legislator money, I don't know. I don't know of any. They might slip it in through the back door. In California you have to put down the names of everybody who gives you money in an election campaign. If you hide it these days you get--

Fry: In those days, though, there were ways to get around that. They had to give money to you personally, but if it was through your campaign committee--

Lynch: When I ran, for example, I had to report every donor. You had to report the amount then, but every single person was not reported.

Fry: Just in your own knowledge of what went on, was there channeling of money from the mob to various political campaigns?

Lynch: No, I don't know that. And I probably knew as much about their operation as anybody else because I had ten years with the federal government and I went through those days. I knew when they were here. Lots of them here were running gambling joints, which in the DA days we put out of business. We had whorehouses, big ones, and they were put out of business. There were other rackets. They were shaking down people over in North Beach.

But mostly it was no trick to get rid of them. We'd get tipped off when they came to town--for example a hoodlum. I know one fellow who was known as Barbut Phil. Barbut, that's a Greek dice game, big gambling game. He came to town, and we got tipped off that he was coming to town. We sent two guys up to deliver the morning paper and told him that we didn't expect to see him at 12:00. We could do that in those days. He protested. His lawyer protested. So, he stayed.

We took him out before the grand jury. We subpoenaed him for the grand jury. His lawyer came screaming in that he was going to leave town. I said, "He can't leave town because we've got a subpoena for him."

He says, "Well, no. He's going to leave."

I said, "If he leaves, and he's not there Monday night, he'll be arrested if he ever comes back, because he violated the subpoena." [laughs] We used those tactics because we could do it. It's no secret. We had chiefs of police who would just send a couple cops up to a guy. Mickey Cohen would come to town and he'd be told to leave, period. And he left. Screamed like hell, but he'd leave.

Fry: He was in Los Angeles.

Lynch: Los Angeles's chief hoodlum. He was a gangster.

Fry: Seems like I've read that a lot more of these figures were in Los Angeles than in northern California.

Lynch: They were. The Dragnas were there, big Mafia operators. Mickey Cohen was. Bugsy Siegel was in Los Angeles. He passed away there.

Fry: Why were more of them in Los Angeles?

Lynch: They had people to prey on there, the movie people. They liked that life. They know here the atmosphere is very--in those days the atmosphere in Los Angeles was very hospitable for them. Here it wasn't. They weren't wanted, period. They were told to get out of town and right now. If they didn't have transportation, we furnished it to the airport or put them on the train. If the word got out that somebody was in town, we went.

There was no purity about it. They had their own scams going. They didn't want any interference. Charlie Raudebaugh wrote about it, I think, in Our Fair City, a book that came out then.* We used to call the cops the Blue Gang. [laughter] They had their things going. We busted Inez Burns, the abortionist. She was paying off thousands of dollars. They [the cops] didn't want anybody else muscling in and taking over from them.

Fry: In '69, Spencer Williams, who must have been thinking about running against you--

Lynch: He did.

Fry: He did earlier, yes. He charged you underplayed organized crime.

Lynch: That's baloney. He wouldn't know organized crime if it came up and bit him.

Fry: Williams's description in the press sounds like your June 4 release in the press on organized crime actually, except that he adds that the crime figures "who are investing in California's legitimate businesses resort to crime to make up any losses."

Lynch: That speaks for itself. He knew. [laughs] He didn't know anything. He was the city attorney of San Jose. He had nothing to do with crime, and knew nothing about it. I don't think he knew much about being city attorney.

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*Robert Sharon Allen (ed.), Our Fair City, 1947

Fry: Because that's largely civil, right?

Lynch: All civil.

Regulating Charter Airlines

Fry: I have a note here on the charter air service.

Lynch: Oh, that was fun. Again, see, you have "chartered air service." That's a misnomer. At that time there was no regulation on putting together a charter. You didn't have the charter airlines you have today. For instance, you have World Airways, you have TIA, which is owned by Transamerica. You've got Martinair. You've got Balair. Then you have that educational group I've used, the CIDE, who charter American Airlines planes. They're all strictly regulated, and they all have top-flight equipment, the best equipment. They have a perfect record, almost all of them.

But in those days there were fly-by-night outfits because there was no regulation of them. You can't fly a plane with paying passengers today without a pilot who could qualify as a regular transport pilot on United or Western or any of the other major airlines. We brought that about. We brought it about because everybody who had an old plane--and believe me, they were old--would put together a charter. They were Constellations. They were all prop planes, old Convairs, DC-3's, any old thing that you could charge up and fly. We were getting complaints on it, and there was nothing you could do about it. We couldn't prosecute them because they'd fly out of the state.

The one that brought it all to a head was a plane that flew out of Los Angeles, I guess to Boston, and barely made it. By the time it got to Boston it was leaking gasoline. They taped it up, and the co-pilot got off. He said, "The hell with this. I've had enough." A passenger on the plane--I believe I told you he was a plumber or something.

Fry: Or a chiropractor.

Lynch: Something like that. He had a multi-engine license, but that's all he had. He'd never flown radar or any other damn thing. Of course, they didn't have any on the plane. So, he took over in the right-hand seat, and they took off for Germany. They got there, but the Germans wouldn't let them get out.

Lynch: So, we started the ball rolling. The only way we could go after them was--we can't do anything with them, but we could stop anybody else from doing this sort of thing. We put a lot of pressure, in many ways, through our senators and through writing letters and writing to congressmen, to make the Civil Aeronautics Authority charter people conform to the same regulations that the regular airlines had. That's been a great boon for the legitimate charter people because they now get all that business. Anyway, it put all the bums out of business.

You could go down to Burbank Airport. It used to be Lockheed Airport. You'll see the darndest collection of old planes. They all had a name, you know, the Murphy Overseas Line, or--

Fry: [laughs] It looked like it was a part of a large fleet.

Lynch: They were raggedy. My son came home from Notre Dame--I almost dropped dead one time--on a charter plane, an old Constellation. It was belching flames and everything else when it came in. I said, "Where did you ever get that thing?"

He said, "They come into the airport in South Bend." He had a round-trip ticket, so when he left he insisted on going back on it. It's the Notre Dame flight. You should have seen it. I never knew those people went to Notre Dame. There were old men and old women and elderly colored people, all going back to Notre Dame, the long way. They went to Los Angeles, to Tucson, to Phoenix. They finally got to Notre Dame, a week late I think. Anyway, we put them out of business.

Fry: That wasn't so long ago either, in 1967.

Lynch: It's hard to realize that those things were flying around. They were going to sue me because I called them the rubber band airlines. I said, "Go ahead and sue. I'll prove it."

Lynch's Decision Not to Seek Re-election

Fry: Then the other thing we need to get down on tape is your health. There is the October 12, 1967 story that you had bladder surgery.

Lynch: I was under a doctor's care for about six months. I was in bad health. Finally they did exploratory surgery. It turned out that they took out part of my bladder and part of some of the vessels in there and found some cancer and took that out. I went over to Moss Beach and stayed there. But, I ran the office from Fran McAteer's house.

Fry: Oh, from Moss Beach?

Lynch: She had a beautiful place on the beach. It's a gorgeous house. Gene had built it and only spent two days in it when he died.

Anyway, that was only one time. I had two hospitalizations in Los Angeles, and I had a couple in northern California too. I was in Children's Hospital. I was in St. Joseph's. I was in Cedars of Lebanon in L.A. Then Stanford Clinic down at Palo Alto.

Fry: That was the only reason you decided not to run in 1970?

Lynch: No. I wanted to stop and smell the flowers, to be frank with you. I had been working since 1933 in the same type of work, just going toward the top. I probably worked harder than I should have, because I liked it, and I thought that the job was worth doing--you do it.

I found a lot of people didn't do it. They wouldn't work. I got to be attorney general because I worked. When I was DA, I worked a good sixteen hours a day.

Every Monday night, for example, I had the grand jury. I was up till midnight. I worked homicides for seven years. There was hardly a week went by when there weren't a couple of homicides. I don't know why it is, nobody ever kills anybody in the middle of the afternoon. They always wait till two in the morning. So bingo, out I go, like an old fire horse. That takes a lot out of you.

Then as attorney general I was into a million things. I was on the crime commission. I had to go to Washington every month at leasr. I was on the obscenity commission. I don't know how many times I testified back there, because California is a bellwether in all these things. They want to hear what California's doing. Most of the time, California is so far ahead of everybody, in every field. I don't mean only the AG's office.

I had Sacramento, I had Los Angeles, and I had other places in California, all kinds of demands on your time, service clubs, bar associations, welcoming people. I was on the American Law Institute. It was a man-killing thing, which I shouldn't have done. I know that Younger didn't do it. He just sat on his butt and played tennis or handball. Stanley Mosk took one day off a week to play tennis. That was absolutely the word. He couldn't be disturbed on Wednesdays. Whether he was here or in L.A., that was tennis. I don't play tennis. I was a workaholic, and it got me.

I remember I called my son, who was then in Indonesia. I told him I thought I wouldn't run. He says, "Great! Don't run." I called my other son, who was in New York. I remember he said, "Congratulations! You can get out of that damn thing."

Lynch: But, it affected my health. I wound up with cancer. I have all my insides all over on one side. I think I carry with me when I travel three pages of medical reports.

Fry: Your medical workup.

Lynch: I've got an artificial aorta. I'm all nylon inside. I've got heart disease. I've got permanent hepatitis.

Fry: Has the cancer returned?

Lynch: I hope not, but that can return. So can the aneurism. I could get it someplace else. Obviously I've got weak arteries. I've got ateriosclerotic heart disease. But, you live with these things. I don't care. I'm getting chest pains these days, so I take a lot of nitroglycerin.

Fry: You're planning a trip.

Lynch: Well, what the hell?

Fry: You travel a lot. You seem to do vigorous things.

Lynch: Well, you only die once. [laughter] But, it's permanent. No, we travel whenever we can frankly. It isn't expensive for us if we go to Europe because we live in Europe when we go there. We live in Belgium. That doesn't cost us anything, except we pay for our food and share expenses with my son, but not consciously. We just go out to dinner, and I'll pay for it, and Mike will pay me. He's got plenty of money, so it doesn't bother him. We're not sponging. My wife likes to stay there in Belgium. And we take off. We took off for a month from Belgium and went up into the Scandinavian countries. Then we'd come back and let them go on a vacation. Every week or two weeks we'd go over to England, drive over. We didn't drive over the Channel, but we took the boat. It's not expensive to do that. As a matter of fact, the last time we came home, I was actually money ahead, because my money coming in had been accumulating. I had a nice nest egg when I got back.

Fry: Gee, I'd like to use that as a rationalization for going to Europe.

1966 billboard on Wilshire Boulevard, Los Angeles, one of several spaces provided by friends of Lynch; the attorney general's campaign only had to supply the paint and painter.

IX CAMPAIGNING FOR THE ATTORNEY GENERALSHIP, 1966

The Demands of Campaigning

Fry: I think we've covered everything except your own campaign for re-election. You were running yourself, so you didn't work any for Pat Brown.

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Lynch: No. That's something people just don't understand. I ran into some lady the other night who made the crack, "You didn't help Pat out in his campaign." You don't run campaigns like that.

Fry: Not unless you win both nominations in the primary, like Pat did.

Lynch: Well, if you're president and vice president or something like that. But, you didn't campaign together in statewide races.

Fry: Not in California.

Lynch: No. Jerry Brown is running his governor's campaign. Mervin Dymally is running his lieutenant governor's campaign. You always figured, rightly or wrongly, that you've got your own battle. Some of us may not like the other guy. So you run your own campaign. You've got your own people; you go different places. If you join together, the second man running for let's say the lesser office ends up tracing the other guy's footsteps. It just doesn't work that way.

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Lynch: It always surprises me when people come up and say, "Aren't you Tom Lynch?" I'm always tempted to say no.

Fry: [laughs] In your campaigns did you use your family or your wife?

Lynch: No. My wife would go to ladies' luncheons and things like that, but no, not my family. They weren't here. My sons were off and gone. They were back East in school. My older boy was gone. He's not a boy. He's forty years old.

Fry: In other words, you had pretty easy campaigns then.

Lynch: No question about it. I was lucky. I think my attorney general campaign was very interesting because it was the same thing all over again. I was no sooner appointed than I was running, and actually that's what cured me of running again. I wouldn't have gone through that again for all the money in the world.

Fry: How was that different from other campaigns?

Lynch: I had to cover the whole state. I wasn't known in southern California. I had to do the same thing Pat Brown did. I appeared in every--as the old political expression goes--every village, town, and hamlet, from the Siskiyous to San Diego, from the Sierra to the sea, as old Delphin Delmas said one time. It's a tough job because you do it either at noontime or take up most of your evening. The distances in southern California are fantastic. You think nothing of going down to San Diego.

I can recall one incident when I flew into Los Angeles from Washington on the red eye special. I got in in the morning, went directly to San Diego and made a speech after washing up in the restroom in the airport in San Diego, got back to the hotel in Los Angeles, and went to a dinner that night. Well, it put me in the hospital twice.

Fry: I think sometimes that a person's stamina will determine whether he wins the election or not.

Lynch: I think so too. Everybody used to refer to me as cadaverous looking, because I was. I weighed 155. They felt sorry for me, 155 or 160 pounds. Now I weigh 180.

Fry: And you're tall, aren't you?

Lynch: Six feet, yes. I had no home life at all. I'd try to budget my time so I was away a maximum, say, of a week or ten days, never more than a whole week. I won't say never, but hardly ever more than a whole week, and then a day or two days in Sacramento. I kept an apartment up there, and then on to Los Angeles. I'd stay in Los Angeles a minimum--no point in spending a day there--of maybe three days.

There was more action in L.A. because there were more things going in Los Angeles that did not occur up here. Consumer fraud is a good example, various types of buncos and swindles, which is natural because there are so many, seven million, people down there, just in Los Angeles County alone. Here in northern California it was more your law office; Sacramento was an administrative law office. L.A. had the water problems, and so did Sacramento. But, most of your

Lynch: administrative law was handled through Sacramento because you were right there with all of the state government, with the exception of the attorney general's office. The large departments are all concentrated in Sacramento. So, your work in Sacramento is largely to do with other governmental agencies. In L.A. the Colorado River was your big concern for a long time--it finally came to an end--and the tidelands oil issue.

Here in San Francisco it was coordination of the offices, handling of appellate work. The attorney general handles all the appeals for the district attorneys. None of them handle their own. Most of that is handled up here. Then you were always sending men back to Washington for Supreme Court cases because you handled all of those too.

Fry: You were saying the campaign was tough because of all the distances involved.

Lynch: That's right, and you were working, trying to run an office at the same time.

Fry: Trying to run three different offices.

Lynch: Yes. Not only that, but you were certainly trying to avoid the picture that you were devoting all your time to running up and down the state campaigning, which is rather difficult to do. Many a time we'd start off and hit four or five places.

Newspaper and TV Support

Lynch: For example, one of the traditional things that every statewide candidate must do is visit every newspaper. Whether it's necessary or not, I don't know. But, I do know this, that if you don't, then you have no chance of getting any type of favorable publicity, because the editor will get mad. You passed up his little paper. On the other hand, you will sometimes get some good publicity out of unfavorable papers. For example, San Diego papers are not about to endorse a Democrat, but I felt I was treated very nicely by them. I got the endorsement of the Long Beach Press-Telegram because the owner happened to be in Europe. [laughs] His son-in-law was running the paper.

Fry: He was more sympathetic.

Lynch: Visiting newspapers is useful, but it's hard work. I did get the endorsement of the L.A. Times finally, the first Democrat in a long, long time. They were right across the street.

Fry: That was right after the son took over.

Lynch: Otis Chandler, yes. He'd been in there for a little while. But, you had to work with those people. Their political man was Carl Greenberg, probably one of the best in the country. Carl was a very hard guy to--you had to get along with him. I liked Carl very, very much, and he was a very honest man, but he thought nothing of calling you at three o'clock in the morning and saying, "Tom, unless you deny it, I have a story here that says this and so." He'd be absolutely accurate nine times out of ten. You had to level with him. It took a lot out of your life though. [laughs]

I had a newspaper reporter here in San Francisco I'll never forget. He just walked in and challenged me. He said, "I don't want any statements off the record," and he proceeded to relay a lot of things. Some were true and some weren't. I said, "What you're telling me isn't true, and that's on the record."

But, most of the reporters don't do that. They do nowadays. The reporters I knew didn't do it. The Ernie Lenns and the Charlie Rodebaughs and the Dick Hyers and the Carl Greenbergs, the fellow in L.A. from the New York Times, many of them, were absolutely honest with you. If you tell them the truth and tell them, "I can't let go of it right now, but it belongs to you, then they would say, "Fine." Nowadays, or in the latter years, it wasn't like that at all. It was the era of the investigative reporter.

Fry: After Watergate?

Lynch: No, even before that. The Watergate reporters merely brought it to the summit. But, there was a lot of that going on. People were trying to make you look bad. They weren't out to make you look good. They could do that all the time. The big thing was to get something on a person.

Fry: You're talking about the 60s?

Lynch: Yes, the middle 60s, at that time. Where you really got murdered, and I mean really hit hard, was because of the competition. There were seven TV stations in Los Angeles putting on nightly news programs. They were all competitive, and they always had a guest.

You had this fellow, George Putnam. He was the worst, very pontifical. They all had a campaign. His was narcotics. If you weren't against narcotics and for motherhood, he'd murder you. Then he always saluted the flag. He always would end his program, "The flag flies tonight proudly over Costa Mesa High School," and there would be a picture of the flag, and everybody would sing, "God Save the Queen."

Lynch: Then there were others, that one now who's on the L.A. County board of supervisors, Baxter, ran for mayor. He was and is a mean guy. He was the regular TV commentator. He would get you on there, and he'd let one fly, right in the middle of the interview. Their game was to make themselves look good, and how smart they were, because they were competing with the guy down the street at the other channels.

He fired one at me one night, and I didn't know what he was talking about. I said, "I don't know anything about that," which is an honest answer.

"You mean to sit here and tell me you don't know about this? Why hasn't the contractors board done something about it?" I remember that part.

I said, "I don't have the slightest idea. Why don't you ask them?"

"You don't know that either!" You know, that sort of thing.

Fry: Yes, really trying to make you look bad.

Lynch: Happily he was recently defeated in the past election.

They used to do the funniest things. There was one station down there that endorsed candidates. This particular one had a radio station and a TV station, same ownership. The TV station endorsed me, and the radio station endorsed my opponent.

Fry: Why would they do that, just to have both of you?

Lynch: I guess. Like the Burton brothers--one time Phil Burton endorsed my opponent in the primary, and his brother endorsed me. I could have done without both of them. [laughs]

Everything in L.A. was controversial. If you went to a political meeting you'd get heckled. That doesn't happen up here. It didn't anyway, certainly not out in the interior counties. Everybody's very courteous. I've gone to places like the Santa Barbara Channel Club. I don't think any Democrat has ever been allowed in the place. But, they invite you to come and speak, and they want to hear the candidates. You couldn't have a nicer crowd. Same way with the Town Hall in Los Angeles, strictly Republican. [laughs] The L.A. bar association is Republican too, but they're courteous.

I remember going to some meetings, and they would just take you apart. The minute you start talking you know that you're not getting over. You can sense it. I remember one meeting out in

Lynch: Beverly Hills. It was an ultra-liberal group, and they just sat there. As the fellow said, just on their hands and looked at me. When I got through they all rushed out to the bar. That's very depressing.

Fry: What were the main issues in southern California?

Lynch: I think southern California was pretty well wound up over the Watts riots, pro and con. I think there were a lot of racial problems in L.A. They had many local issues, in which you had very little interest. The old Proposition 14, in 1964, was a hot number.

Fry: Yes, that was anti-fair housing.

Lynch: The funny part of it is, I was pro-fair housing. In other words, Fourteenwas against fair housing. I got in a big argument with Governor Reagan on that. I was anti-Fourteen, which would be pro-fair housing. You know, they confuse you in the old Artie Samish tradition.

Fry: Yes, the proposition was to retract fair housing.

Lynch: Yes. It went over with a bang, and I was still against it.

Fry: You were attorney general, and Reagan was governor.

Lynch: That's right. Proposition 14 went up on appeal to the California Supreme Court, and that court held it unconstitutional. So, then it was to be appealed to the U.S. Supreme Court. Reagan wanted me to go in and try to overturn the California Supreme Court. I said, "I'm not going to do it." Of course, this didn't sit well with all of his Republican friends. I'm sure he told them all. We had a long discussion about it.

He said, "Well, you're my attorney."

I said, "No, I'm not. I'll represent you, but I'm an elected official of the state of California just like you are. I can't tell you what to do, and you don't tell me what to do." This was not a hot conversation or anything. It was friendly enough. He just didn't understand.

"But," I said, "You needn't worry about it. If you want a brief filed, I'll see to it that you get a brief. [laughs] I've got lots of Republicans working for me, and they are lawyers. If I told them to prepare a brief on any subject, they'd prepare one even though they didn't like it."

Lynch: He didn't like that, and he didn't agree. I remember he made the remark, "I guess we've come to the parting of the ways."

I said, "I don't see why." It didn't mean anything in later years.

A lot of these people were red hot. The red hots, of course, were anti-Fourteen. [laughs] I guess they thought I was pro-Fourteen. You could sense that sort of thing. You would have to answer questions about it.

You'd get it from both sides. Somebody would say, "Why did you appeal it to the California Supreme Court? Why did you argue it in the California Supreme Court?" You're running into that stuff, particularly in southern California, night after night. I was, anyway.

They were pro and con on things which they didn't understand, like the Colorado River litigation. "Why did we lose it?" "Why did we lose the tidelands case?" We didn't lose the case, but we got a decision out of the federal government which certainly was unfavorable. The decision was against our position anyway. But people just decide that something is black or white, and they're not going to listen to any reasoning of it. They're "agin'" it.

Fry: That's the hazard of running as someone who's been in office awhile.

Billboards As a Campaign Tool

Fry: Did you try, on the other hand, to design a campaign that would take advantage of your record?

Lynch: Yes, in many ways. We took advantage of everything we could. We had great billboards. This is really where we had the billboards. I think we had the biggest coverage, because I didn't have a public relations firm. I had an advertising agency, Bernie Weinberg in Los Angeles. He's a small agency, but he controlled, if you want to use the expression, a number of billboards.

For instance, he had Kamchtka vodka as one of his accounts. He also had Union bank, in L.A., and others. Through his connection with his accounts, he persuaded them to release their boards for a month. Then he designed the board, which didn't have the Declaration of Independence on it. I just followed Earl Warren's lead, who put out a great billboard years ago which just said, "Vote for Governor Warren." People don't read billboards. They just see a name and a picture. I had my confirmation picture on it. [laughter]

Fry: So, you just had one that said, "Vote for Attorney General Lynch."

Lynch: That's right, and you could see it a mile away. It was red and blue, I think, and some yellow, which are very outstanding colors. You saw on there, "Tom Lynch." Pat had a billboard one time that was just atrocious.

Fry: You had to stop your car to read it?

Lynch: Yes, you'd wreck your car on the freeway. They had one coming off the bridge. He even had his glasses on. I'll never forget that one. But this was a beautiful billboard.

Fry: He told me about one where everybody said he had to have his glasses off, so he took his glasses off. He said, "I looked so terrible. It didn't look like me at all!" [laughs]

Lynch: I had nothing to do with this. This was a beautifully designed billboard, because these people were in advertising. It was their business. They got tremendous coverage. Not only that, they knew how to place billboards. They'd go to a small town and put one at the entrance to the town on each end of town, and that's all.

Fry: That would cover it.

Lynch: Yes, because the people in the town go out of town every once in a while. I thought it was a masterful deal. I give Weinberg a lot of credit for it. They put out the brochures, of course, but we did not do any TV advertising. We couldn't afford and didn't do it. I did not appear, except as a politician, in my own behalf. We had other people do it. I appeared on television programs, but they weren't connected directly with my campaign. In other words, the station would promote it. The station would give you time, but we didn't pay for any. We never put up any snipe sheets. I never have. I don't believe in them.

Fry: Those are the ones you nail to the telephone poles?

Lynch: Yes. I never had one in all my political career. I think they're offensive to voters. We had them in this neighborhood out here. They just plastered the place with them. Bert Betts did it too. I remember. He had every cow pasture in California with--I can still see them--green signs with black "Bert Betts" on it. It made everybody mad at him.

There were a couple of other things we didn't do too. Because Bernie was in advertising, he said, "Don't do it. It's worthless." So, we didn't. We saved a lot of money. We spent less than a quarter million dollars in both campaigns, primary and final. But, I would say for three hundred days and nights I was on the campaign trail, and it wore me out.

The Primary Race: Lynch vs. William Bennett

Fry: Did Pat Brown help any?

Lynch: No, we went independently, went our separate courses. I don't think we ever came together at the same place.

Fry: Did he endorse you?

Lynch: Oh, he didn't have to. We were the Democrats running, and we would appear at big dinners. We'd be at a big dinner someplace. Everybody knew he had appointed me. There's no necessity for it. People comment on that. In fact, some of the lesser lights in the campaign said, "We didn't get any help from Lynch." I could say honestly, but not critically, I didn't get any help from Brown. We had our own campaigns to run, and the two just don't go together. I think the only time Reagan tried to help out Spencer Williams was by putting his arm around him in public and saying, "This is my boy," and "Vote for my team." That's about all you can say. You don't want to waste your political time campaigning for somebody else.

Fry: So you were satisfied with what Pat did.

Lynch: Oh, completely. Yes, completely. I'd be going one direction--it's almost impossible to coordinate two campaigns. You'd be invited on x day to be at a certain place. That same day, he's invited to be in Sacramento and you're in San Diego. You'd come together; we came together many times. You'd all be introduced at a big function. I'd go to his big fundraisers in L.A.

Fry: What about your other endorsements, like CDC and labor?

Lynch: No, I wasn't endorsed by CDC because I didn't go, didn't ask for it. I made it perfectly plain I wasn't going to seek their endorsement. They endorsed the fellow who ran against me in the primary, William M. Bennett, which was a natural. He was more the red hot than I was. I didn't want their endorsement.

Fry: Do you know why Bennett ran? I don't.

Lynch: That's a good question. He's an egotistical little guy, nice enough fellow, but he is an egoist. I think he was deluded. He thought he was the great consumer champion. He was with the PUC [public utilities commission].

Fry: Yes, Bennett was the one who was always speaking out.

Lynch: The gadfly. He thought, I guess, that that PUC position had given him some sort of a reputation. Then he got down in Hollywood, and he got connected with Robert Vaughan, for one, the movie star. I guess through Vaughan, and other people I would consider the ultra liberals, they convinced him that he was a viable candidate.

Strangely enough, out on Wilshire Boulevard Bennett had a great big palatial home. I think it had been abandoned. It was sitting on almost half a block on Wilshire Boulevard, back off the street, this big old brick Victorian, I'd call it. Here was a great big sign. It was his headquarters. It made him look very prosperous, and it would drive my wife nuts every time we'd drive by it. He did very poorly.

Bennett also had, because of his PUC connection, an endorsement from the Communications Workers of America. He thought he could ride that to glory. He did manage to get endorsed by the local COPE [committee on political education, a department of AFL-CIO] because they were mad at me on a legal problem where they were dead wrong.

John Henning and everybody else--there were lawyers trying to explain it to George Johns, but he was just too damn stubborn. It had to do with right-to-work. The city attorney had issued an opinion that the city could pass an anti-right-to-work ordinance. The AG's office was asked for an opinion on it, and we ruled that the city couldn't, because the state and the Taft-Hartley Act had pre-empted the field. It was academic because they had similar ordinances in Palm Springs and some other place which had also been ruled unconstitutional. But George Johns thought he'd make political hay out of that ruling, I think, so he was blasting me to the labor people.

At the preliminary meeting Bennett had the endorsement of COPE. But then we got the troops in there and blew them out of the place, and the statewide people wouldn't go for it. I think that gave Bennett a lot of false hope. I don't know. He probably raised some money, probably down in Hollywood. He got a miserable vote.

Fry: You had the state COPE and also AFL-CIO behind you, right?

Lynch: COPE is the political arm of the AFL-CIO.

Fry: I thought maybe they made separate endorsements.

Lynch: You do get local endorsements, like the carpenters or the Teamsters.

Fry: Also, sometimes the executive committee of a union will endorse one candidate, but when it comes up for a vote on the floor of the labor convention, they endorse another candidate. Did you get both?

Lynch: Yes. I had no problem there, except for the communications workers. Then they endorsed me in the final.

Fry: This is '66 that we're talking about.

Lynch: Yes. [reviewing a chronological list of events] Now, I was AG during--oh, that was during the Watts riots. That ought to be fun. Wait till we get into that one. You're really going to get a shock.

Fry: You're going to have a surprise for me?

Lynch: Did you ever talk to Hale Champion?

Fry: Yes, but not on the riots yet.

Lynch: [referring to the list] Here we are here.

Fry: Bennett got 445,000 votes in the 1966 primary.

Lynch: I beat him by over a million.

Fry: You got 1,757,000. Wow!

Lynch: So, Bennett went down to defeat, four to one.

The General Election: Lynch vs. Spencer Williams

Fry: Then you ran against Spencer Williams in the general election.

Lynch: I got three million in that election, I think. You have a list there of state co-chairmen in the 1966 Brown campaign. You have honorary chairmen, Cecil King, Burns, and Dan Kimball, none of whom would be very active. You have here under state co-chairmen Roger Kent, who was active in decision-making; Tom Pitts, yes and no; Warren Christopher, definitely yes; Gene Klein I'd say was honorary. He's with MCA [Music Corporation of America] and owner of the San Diego Chargers and whatnot. Earl Warren, Jr. was for name value. That was a big deal. Ed Roybal is Mexican American. George Miller, Jr., Mrs. Poole. I don't know why Cecil wasn't in there. Tom Braden. Those were different days.

Here we are. I got 3,300,000; Williams got 2,900,000. I beat him by half a million. But everybody else lost.

Fry: You were doing well to hold your own in that campaign, when Pat Brown lost. What was Spencer Williams like?

Lynch: Spencer was a nice enough fellow. I'd known him for a long time. He was the county counsel of Santa Clara County. Of course, he had big Republican support. As a matter of fact, Spencer beat out George Deukmejian, who was the perennial candidate. He was the candidate in the primary that same year. The Duke, you know, is strongly capital punishment, and a very, very decent person. He had been in the state senate for quite a while, but he lost in the primary to Spencer.

This ought to interest you, [laughing] the only real crack that Spencer let fly at me. I couldn't remember what the campaign issues were that he brought up. Everybody's going to reform and revise and bring in new blood and throw the rascals out and all that. But Spencer did one thing which afterwards had a funny aftermath. He came out with a statement that here I was, only a district attorney and one year an attorney general, yet I lived in a home in a neighborhood of $80,000 homes. He made a big to-do about it. So, the papers came in and asked me about it. I told them that I paid $13,000 for this house. What $80,000 homes? Those $80,000 homes today are worth $200,000. My house is assessed at $100,000, and I paid thirteen for it. But I put a lot in it, of course.

Fry: I guess all of these were around $13,000 at that time.

Lynch: All these houses were, because the same fellow owned them all. He sold them all. There were only about five houses up here when I came up here.

Anyway, Spencer beat that one to death and used it over and over again. So, I took him on on it, replied to it. But afterwards I asked him, "What in the hell inspired you to pull that stuff about my home? You know damn well it wasn't any $80,000."

Spencer says, "I didn't realize it, Tom. We sent up a plane to take an aerial photograph of it, and I took one look at it--"

I said, "Well, forget that." [laughter] An $80,000 home in those days--well, he didn't say it was $80,000.

Fry: But, it was in an $80,000 neighborhood.

Lynch: Yes. So, that was about the only really tough shot Spencer took at me. But he was all right. I think his wife was more aggressive than he was.

Fry: What kind of support did you get in the general election from the more radical or liberal Democrats who opposed you in the primary?

Lynch: They had no place to go.

Fry: Did they sit on ther hands?

Lynch: I don't know whether they did or not. I didn't really go after them, that I can recall. I spoke at meetings. Well, no, I'll correct that. I'll give you two examples. The communications workers endorsed me, and this Robert Vaughan put on a cocktail party for me. Or he was there. I don't know whether he put it on, but he was there and he was the center of attraction. I know a number of other people who had been for Bennett came out for me.

Bennett had counted a lot of support he didn't get. I'll give you one perfect example. He thought he was going to have Harry Bridges's longshoremen's union. He didn't even come close.

Fry: Was Bridges behind you?

Lynch: Yes. We'd been friends for many years. I heard the story later that Bennett had gone to Harry Bridges and said, "You know, I feel the same as you do about"--oh, all kinds of things. One of them was the Vietnam war. I don't know how he got me in that one. But anyway, Harry's reply to all this was, "So what?" [laughs] This is true.

Bennett said, "I was hoping you'd support me."

Harry just said, "I'm sorry, but I'm supporting Tom."

Bennett said, "Why are you supporting him?" That was the theme. "I think like you do. He doesn't necessarily think the way you do."

Bridges said, "I don't care about that. Tom calls them as he sees them, and that's all we're interested in." And that's true, I mean as far as their interest.

Of course, I had a lot of friends there too. A lot of the old-timers in the union, even some who were accused of being pretty far to the left, and probably were, were good friends of mine. Bill Chester--he's not one of them, but he's a good friend of mine, always has been. He succeeded Bridges. He's out now, but there are a couple of other fellows there who were pretty much labeled as left-wingers, and were, but they were all friends.

So, a lot of that enters into politics too. There are a lot of people that don't necessarily follow the party line if they're friendly to you.

Fry: And who don't make their support on some ideological grounds.

Lynch: That's right. I can't think of the names. I remember I saw one of these fellows on the way to Honolulu. We were both going over there to recuperate from something. Oh, I know. I had hepatitis. I can't think of his name. You run into lots of people like that.

Fry: Did you go to pretty much the same people for funds, or were the fund sources changing by '66?

Lynch: I would say that I got some large contributions from people whom I knew personally. Lew Wasserman, head of Universal Pictures, was a personal friend. He made a substantial contribution. I think Gene Klein did. Ed Pauley did, but I'd been a friend of Ed Pauley's for a long time. So did Mrs. Pauley. I don't want to leave people out. I'm not doing that, but I can't remember all of them. Gene Wyman gave me money, and he raised money. He's dead now. He was a lawyer in southern California. Then on the other hand we had a tremendous amount of small contributions, especially from lawyers. We'd send out the well-known lawyers' letters, as you'd call them. It's amazing the response that you get from the lawyers' letters.

Fry: Were they afraid not to respond? [laughs]

Lynch: No, not at all. Most of those lawyers had nothing to do with you. As district attorney I would always get contributions from some of the downtown law offices which never had a criminal case in their lives, Pillsbury's office or somebody like that. I'd have people back me like Jack Sutro. He would certainly never have an ulterior motive. He doesn't need to. [laughter] You'd get a good response, even from some of your worst opponents, or your best opponents. There was a percentage you could almost count on. You'd get answers from two or three out of every five letters and a really good amount of money. Then you get money from unions. Let's see, who else?

Fry: Democratic party?

Lynch: No, You'd have fundraisers, but they weren't big, and you'd try to keep them modest to get a bigger crowd. You were looking for two things, money and a good showing. But, you raised money that way too. We had a lot of old friends. I can recall having a meeting here at the Fairmont Hotel where I invited friends of mine like--well, a lifelong friend, Al Elledge, who runs Harbor Tours here. He's a die-hard Republican, but he contributed to my campaign.

Quentin Reynolds, who's president and chairman of the board of Safeway Stores--we've been lifelong friends. We started working together the same day. He's a Republican from way, way [laughs] out. People like that. There was one lawyer in town who, every time I ran, would send me $500. I'm sure he wasn't a Democrat, but he liked to be the first one to contribute. There were a lot of people like that. You'd get money from very interesting places. I suppose that goes two ways. There's some money you turn down.

Fry: What money did you have to turn down?

Lynch: People you knew that you just didn't like their lifestyle. You'd just politely say, "Thank you very much, but we don't need it." There weren't too many of those. Sometimes you got money you didn't want, and there's nothing you could do about it. You'd get into the campaign and somebody had raised some money, innocently enough, and then he was on the spot. He'd say, "Well, I can't give it back. It's one of my clients," or "one of my best friends." You would know something about his best friend that he didn't know.

Fry: Did you ever have someone else go to give the money back?

Lynch: Yes.

Fry: Would this have been a conflict of interest sort of thing?

Lynch: Yes, when you felt that perhaps in the future it might become embarrassing for either one of you. That didn't happen often. I don't want to exaggerate, but it did happen.

Fry: Now the Colorado River case was after tidelands oil issue was settled, wasn't it?

Lynch: No, I think it was before. They were both in the same period.

Fry: I was thinking that maybe you wouldn't be able to take money from the big farmers and big oil men or the little oil men.

Lynch: No, I took money from Ed Pauley. I certainly wouldn't hesitate to say no to Ed Pauley, or anybody else for that matter. But, he contributed as a Democrat. I've never had Ed Pauley ask me to do anything. I don't think he would. I don't recall any other people in the oil business. Oh, I do recall one fellow. He was connected with Continental Oil. I can't think of his name now, but he'd been a good personal friend. He contributed. He was in the asphalt division, and we indicted them [laughs]--with a lot of other people--for antitrust violations.

There are lots of people you meet in politics who, to other people, might be suspect. Maybe there's good reason why they should be, but they're not necessarily bad people and they're entitled to contribute to a campaign if they don't have an ulterior motive. Sometimes you'd rather not have them do it, but you can't stop them really.

Fry: Yes, and you didn't have any legal safeguards then, either, to fall back on.

Lynch: No. You see, the Colorado River, there's nothing political there. The Metropolitan Water District was the one most interested in that.

Fry: That would be Los Angeles.

Lynch: And the state of California, of course, and the growers down in the Imperial Valley.

Fry: Yes, that's what I was thinking about.

Lynch: I had some of those people contribute. I had some Republicans down there working on my campaign talking to the people, but they had never asked me-- We were representing the state of California. If you want to say they had an interest, they did. They had the same one we did.

Fry: That was in the days before the whole issue of conflict of interest became such a concern.

Lynch: Yes, I think so, and before the 160 acre limitation cropped back into existence.

Fry: Did you have anything to do with the 160 acre limitation during your tenure? It hit Pat Brown.

Lynch: It was only a matter of passing interest. I don't recall that we had any direct litigation about it. The history of that goes way back to-- I've forgotten who it was. Curtis Wilbur, or one of the Wilburs, who was secretary of the interior, issued what some people consider an opinion that the limitation didn't apply in the Imperial and Coachella Valleys, or with that water.

Fry: Yes, they got an exception from that.

Lynch: Yes, that was it. I see now that they're apparently talking about raising the limitation to 360 acres.

Fry: Doing something so it can be--

Lynch: Retroactive?

Fry: Or so it can be made a workable thing.

Lynch: It would be a very interesting situation in the Imperial Valley if they ever try to impose the 160 acre limitation. I don't think you could farm it. I don't think anybody could afford to. It takes millions to run some of those big farms. Have you ever been down and seen what they do and seen the underwater tilling and things like that?

Fry: No, I haven't, but I have seen the enormous irrigation network.

Lynch: Not only that, the water that comes out of the Colorado is not good water. It's full of salt and alkali. You put it on the land for three years, and the land will turn white. They have to keep flushing that--they call it garbage--down about eight feet, into where the whole fields are interlaced with tiles, and the water gets into those tiles and into one drain after another. Finally it gets into the big drain and then empties into the Salton Sea. Without that, you can't operate. You can see abandoned land that's as white as snow. That's alkali. You can only farm it for a couple of years, but if you drain you can farm. That's very, very costly. No 160-acre farmer is going to do it, unless it's already in place.

Fry: That was one of the bigger controversies, and it still is. So, in that campaign the one thing you learned was that you didn't want to campaign any more?

Lynch: That's right. I had too easy a time up until then, and I'm not, as I said before, a political animal. I like campaigning for somebody else. I hate campaigning for myself. I hate to go out and try to tell everybody that I'm the greatest thing [around].

Fry: And the statewide aspects too, I gather.

Lynch: Yes, to me that was man-killing. I wasn't in the best of health anyway. I'd had operations for ulcers and a lot of other things. I don't know whether it's part of it or not, but I wound up very soon after with cancer and an aortic eneurism.

So [laughs] that's the only reason I'm alive. I've had so much surgery, and then hepatitis.

Fry: You sure don't look like it now.

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Lynch: You asked me a couple of questions yesterday on the phone. I wanted to get them in the record because somebody in the future might get them out.

One thing was that Spencer Williams accused me--and got very little response out of it, or very little flak--about the fact that I was getting paid far more than I deserved, or whatever the hell it was.

Fry: That was his accusation that you spent too much in expense money.

Lynch: Yes. As a government official you're supposed to maintain your residence in Sacramento. We all believe that, but it's not true. I found out later that the supreme court decided that they didn't

Lynch: want to be in Sacramento, so they came up with their own decision that they didn't have to be in Sacramento. As a matter of fact, it came out of the Chessman case. But, it was so buried there that nobody really recognized it.

One of the points Chessman raised was that the supreme court could not consider his case. This is when he was applying for clemency. The supreme court had to pass on it because he was already a once-convicted or twice-convicted felon. Brown could not give him clemency without the approval of the supreme court. So, he objected to their jurisdiction on the ground that they violated the constitution by not having their place of residence in Sacramento.

Well [laughs], they immediately decided for themselves that they didn't have to do that. It's a little bit strained, but their reasoning was that that was put into the law, I think by the legislature, and that the legislature didn't have the power to do it, because they were provided for in the constitution and they didn't say--it was very obtuse, but nobody really knew about it. Anyway, I figured, "Well, I have to live in Sacramento, maintain a residence there." So, I went to the controller, Alan Cranston--controller or director of finance, one or the other, whichever one he was, the guy in charge--and his chief assistant, whoever that was. I said, "All right, now here is the problem. I have a home in San Francisco, I have an apartment in Sacramento, and I rent a hotel [room] in Los Angeles. I'm entitled to be paid for two places, and expenses. Now, what is it to be?"

They said, "Well, you have to be in Sacramento." That was their ruling.

I said, "Okay." So, I started to put in expenses for San Francisco. I was spending a lot of time out of town. There was some criticism, I think some newspaperman. Finally I said, "The hell with it." So, I stopped it. This is long before he got into the act.

So, I did not draw any expenses after a period of time, maybe six months, a year--I forget what it was; it was a short period of time--for San Francisco, although I own my own home. Now, the irony of that is that if I didn't have a home in San Francisco and I owned a place in Sacramento, I'd get paid for both. Because I own my own home, and I didn't stay in a hotel, I got peanuts. So, for the rest of the time I was attorney general I maintained an apartment in Sacramento at my own expense, which cost me $7,000--

Fry: A year?

Lynch: --$10,000 total ($1,800 a year) plus utilities and all that. Of course, I kept my home here, which I was paying for too.

I had a personal arrangement with the Sheraton West Hotel, the old Town House, to get a suite there for $20 a day which was always available. There was always one available, except once I had Bing Crosby's [laughs] because that was the only one available. He wasn't in town. He and Walter O'Malley, who owned the Dodgers, both had suites. It was quite a place to stay. They always kept a place there for the attorney general. They liked that prestige. But the state only had to pay $20 a day for that. Actually, I had a $45 room.

Anyway, I paid for the apartment in Sacramento for the whole time I was attorney general, and I paid for my own home. The only place I was reimbursed for was Los Angeles or wherever else I might happen to be. It didn't work, so I stopped. I stopped, nobody else. Spencer Williams tried to make capital out of it. It didn't work.

People asked me. "Well," I said, "I don't do that. It didn't work out. I was getting more than I was worth, so I cut it out. I'm now paying for my own apartment in Sacramento. I'm still paying for it." I kept it the whole time. In fact, I very seldom used it. I moved once, right near the office, right across the street. Once in a while I'd go up on a Thursday night and stay over the weekend and get the hot weather. There was a pool, and I used the pool.

But, that was that one. The other shot Williams took at me was this home, which you're now in. He claimed that I was living--and this is funny now in this day and age--in a home which was in a neighborhood of $80,000 homes. Well, I'm still living in the home, and the neighborhood is of $200,000 homes. I paid $13,000 for this home. But that was the cash price. I paid $13,000 for this home. But that was the cash price. I paid a lot more because I bought it with mostly mortgage, and I put $20,000 or $30,000 into it.

Those were Williams's two best shots because he had nothing else. He never came up with a program. I never understood it. Of course, he wasn't running against me in the primary.

More on William Bennett

Lynch: I had William Bennett against me in the primary. Bennett ran in a fit of pique. It was a stupid thing for him to do. Number one--you know the rules--you don't run against an incumbent in your own party who is safely entrenched in the job, and who you know has the

Lynch: support of all the party leaders and will have the support of all the newspapers and most of the unions, although I had that union "problem," as you called it, which really wasn't a problem. That was a personal thing.

Anyway, Bennett ran, and he pulled some of the same things. He tried to play on my health. He wanted Brown to have me examined because--he gave out the inference that I probably had some brain damage.

Fry: You said he called a press conference.

Lynch: Yes, here in San Francisco. I was in Los Angeles. Ernie Lenn of the Examiner called me and told me about it. He said, "What the hell's going on?"

I said, "What's he trying to say?"

Lynn says, "He says you have brain damage." Then he laughed. He says, "Tom, tell me it isn't so," [laughs] just humorously.

I said, "You know better than anybody else, Ernie. It's ridiculous." They didn't print it.

I think there was one TV station, which is still here, but the personnel are no longer here, which took it upon themselves to support Mr. Bennett. You know how they are. Employees is all they were. TV wasn't quite as complicated as it is today. These young gung ho guys, the cameraman and the reporter, were going to elect an attorney general, and they stopped at nothing. I think they promoted Bennett's charge, because they were at the press conference in force. I think they put it on TV that he had this conference, but all they could say was that Bennett asked Pat Brown to have this done.

Of course, Pat just laughed. The newspapers didn't pick it up. If they did, it was just an item that Bennett had called the conference and asked Brown to have me examined. But the papers didn't try to elaborate on it, because they knew it was ridiculous.

The TV people started pulling a couple on me till I got wise to it. They were doing what they call cut-ins, which is a technical term in TV. Unless you know what they're doing, when you watch a TV program you don't realize it. When you see a TV program where the interviewee is separate and the interrogator is also photographed separate, talking into his mike, it's phony nine times out of ten. The real interview is when they're both in the same picture, because there's no reason why they shouldn't be in the same picture. There's no reason to photograph the guy from TV. He's not news. When you see him, that's done after the interview.

Lynch: The interviewer selects a number of questions, which are called cut-ins. He takes a five-minute interview with you. Only a minute or a minute and a half is going to go on TV. He selects what he wants. As you well know, you can ask a leading question--"Why didn't you do this?"--and make a perfectly innocent answer look bad. They do it. They did it.

They did more than that. They'd go down, and they'd interview Bennett favorably, and they'd come up and they'd throw some real whizzers at me, and the next thing I know, I see I'm debating Bennett. We're both on the same program, and we weren't even in the same building. They patched the two interviews together. I didn't know they were doing it, until somebody tipped me off, and I saw it on television. Well, we put a stop to that.

Fry: They really presented it as a debate?

Lynch: No, but that's what it amounted to. They're asking me a question, and I answer it. Bennett has the benefit of my answer. They're asking him, and he gives what amounts to a reply to what I said. We had to put a stop to that. It's a little dirty pool, that's all.

Fry: He got all the last words.

Lynch: Yes, for a while. I think for one time.

Fry: Just for the record, you announced your candidacy on October 4, 1966, in San Luis Obispo. Then in January, 1966, one of the first political statements that we picked up in our newspaper research was you saying that you expected no challenge from Los Angeles Mayor Yorty.

Lynch: Did I say that?

Fry: Yes. I guess someone asked you a question.

Lynch: Somebody asked me that. All right. I didn't expect it, period.

Fry: In fact, he was really going to run against Pat Brown.

Lynch: Sam had a better job than I did. He had two helicopters.

Fry: Then your official announcement was January 28, when you really threw your hat in.

Lynch: Threw what hat?

Fry: Then you were challenged to a debate by Bill Bennett on February 16. One newspaper announced that your northern California co-chairs were Senator J. Eugene McAteer--that's predictable, I guess--and Gerald Marcus, an attorney.

Lynch: That's right. These were actual, working chairmen. These weren't figureheads.

Fry: San Francisco supervisor Roger Boas was the chairman of the San Francisco committee. Joseph C. Houghteling was chairman of part of the campaign?

Lynch: Joe Houghteling would be down the Peninsula. He had a string of small newspapers.

Fry: Was there anybody who was in charge of the entire statewide campaign?

Lynch: Really, no. We worked north and south as two independent campaigns.

Fry: Who was in the south?

Lynch: Stan Gewirtz, who's vice president for Pan Am. He was then with Western Air, but he's a vice president of Pan Am. He was the chairman. There were people like Dick Keatinge and others who did this work, but Gewirtz was the man who was the head. Miles Rubin was also very active. He was able to do it because he was an appointee. He was not civil service. He was the assistant attorney general in charge of the L.A. office.

Fry: Now, about those labor endorsements.

Lynch: I'll tell you what that was. There's a man here in town I've known for years. I've been very close to labor people, just on a personal basis. I know them all, and they all know me.

Fry: But you've not been close to him? Is that what you're saying?

Lynch: I haven't been a labor candidate, but they don't dislike me. The man who's now the biggest labor man in the state, John Henning, is a very close personal friend. I went to school with a lot of them and grew up with them.

One of them is George Johns, who was head of the local--they've got so damn many titles, I don't know which--anyway the AFL-CIO, whatever conclave they had here in San Francisco. He had a bug in his ear which I couldn't get out. It had to do with right-to-work. He wanted to get a right-to-work ordinance passed in San Francisco. He went to my cousin, Tom O'Connor, who was city attorney, and asked him if it was proper to have one enacted. You'd have to have it by legislation. Tom O'Connor advised him, "Yes, it was."

Lynch: I don't know how it came up to us. Maybe somebody else asked us if it was proper to have a local ordinance. We said no. First of all, it was pre-empted by the state law, and also by the federal laws, the Taft-Hartley Act. This had been held by the courts, particularly one ordinance which had been put in in Palm Springs and another one in another small town, I think around Chico or someplace like that. I talked to George about it a dozen times. You could convince anybody except George Johns.

But he had enough power with the COPE people here to get the endorsement. I guess they weren't prepared for it. You had to get--most of them don't even bother to show up. They cast their votes by the thousands, each union that goes into COPE. In other words, if you have a particular union, they cast 20,000 votes, or in very large multiples anyway, depending on the size of the union.

Most of them don't even show up for these things, so Johns managed to get the endorsement through for Bennett. Well, we just went to work on it, that's all. Most of the labor people who were interested in my campaign were furious. They just didn't have their people there to do the voting.

##

Lynch: The only other union I didn't get in the primary, but I did get in the run-off, was the Communication Workers of America. That was a natural for Bennett because on the PUC he was fighting the utilities all the time. I had to fight for some of the others when I got into the general election. Bennett was out. He was gone.

Spencer Williams didn't try labor, because he couldn't get them. But he made a determined effort to get--[laughs] I'll never forget it--MAPA. That's the Mexican-American political association. Anybody who can get their endorsement is doing all right because they can't even endorse themselves. They'd fight among themselves, and there are always two or three factions.

But Williams made his big effort. He brought his wife and his kids, and he hung banners around the hall. I think it was the only effort he really made, and he didn't get it. Then he finally persuaded Reagan to put his arm around him, which Reagan did, literally, and said, "This is our team." But it didn't do Williams any good.

I never did see Williams. I don't know what kind of a campaign he really had. I think he had a loser from the start. I had every sheriff in California on my side and every district attorney but one, a fellow named--well, whatever his name is, he was a close friend of Spencer's. Naturally he was for him.

Lynch: Spencer lost out as county counsel because he had to run at the same time. Reagan gave him a good job in Sacramento in charge of some department. Spencer put his friend, the district attorney, in as his assistant. Then later Reagan got Spencer appointed to the federal bench. So, there he sits.

We're good friends. I don't get mad at people in campaigns. Most of the people I've been involved in campaigns with, we've always remained pretty good friends, except one like Bennett. He doesn't like me, so I feel we have to reciprocate. I don't like him. I don't dislike him. He wrote me a nice note after I'd defeated him.

Fry: Did Pat Brown help you any in your campaign? He was running for governo .

Lynch: He was running for governor, and we came together a number of times. I was looking at some old pictures upstairs where we're together. He came to my meetings, my dinners and testimonials, and I went to his.

Fry: There's a funny newspaper story here, a kind of peculiar one where Bennett seems to be campaigning against Brown instead of you. The title is, "Bennett Charges Brown of Nixon Tactics."

Lynch: Well, that's Bennett. Brown had accused him of appealing to extremists in the Democratic party. So, he has to fire back, "Ugly and untrue charge." He runs off at the mouth at the slightest provocation, the drop of a hat. And somebody's always dropping a hat. If they don't, he's got a hat he can drop.

Illnesses and Recoveries

Fry: Your polls looked awfully good during all this campaign.

Lynch: They looked even better in 1970 after my term was over, and I didn't run.

Fry: Yes, you had good polls then too.

Lynch: I had 61 percent recognition. It would have been a pushover, but I couldn't have stood it. I spent almost a year in hospitals in the following four years or recuperating over in Hawaii or someplace.

Fry: What we need, I guess, is your idea of how your office fared through your illness. Whom did you lean on the most when you couldn't be there?

Lynch: The staff which I inherited, fortunately. I had people who had worked for Earl Warren. Ted Westphal worked for Earl Warren. Herb Wenig had worked for Earl Warren. Jim Sabine. They were top men.

Fry: All the way up through Brown and you.

Lynch: Charlie O'Brien had worked for Stanley Mosk. I had a friendly office, to start with. That was a big help. They all knew me, to start. I was next door, you see. I was the local DA. I was their DA. I handled all of their business. They had a big flap one time--some justice of the peace up in Boonville. They had a real bad time. He was arresting the deputies and everything else and coming down with warrants. I was taking care of all of that business for them, because I knew how to take care of them. [laughs] That's another story.

Anyhow, they tried to arrest Ed O'Brien. They arrested Frank Peterson, who was the DA up there. This justice of the peace issued warrants for them. He made one mistake. He sent a guy down here with some of them, so we threw him in the bucket. He was acting rather obstreperously. He had no authority to issue warrants. He was trying to serve warrants, and he had no right to. No, we didn't throw him in the bucket, but we gave him a bad time.

Everybody in the office knew me. Some of them had been life-long friends. Pat Frayne, the PR man, I'd known all my life. I knew them all--Charlie O'Brien--so I kept them all. I had worked with Wally Howland back in the U.S. attorney days when he was working with Tom Clark in the Japanese exclusion.

So, I had a happy ship. I walked into it, and it just went on fine. I could've done the next four years, but I wouldn't have been applying myself. I couldn't have done the things I did in the first six years.

Fry: You couldn't have been a workaholic.

Lynch: No, no way. The doctors told me to quit. My personal doctor, my regular family physician, wanted to get me out. He didn't want me to take the job.

Fry: In the first place.

Lynch: Yes. I was going through ulcers and--I had a fantastic history. I even went into shock after a hemorrhoid examination, the first one the doctor ever had. [laughter] He was going to write it up in the American medical journal.

Virginia Summers Lynch

Fry: How did your wife feel about your workaholism?

Lynch: She liked it. She was a part of it. She was part of everything I did. We went together. Our sons were gone most of the time. Michael left; he'd been in Europe and in the army. Casey was gone. So, we were free to go. Many a time she'd go to Washington with me. She has friends back there, in the Carolinas. We'd go to conventions together, and she'd go down to L.A. with me, particularly if I was going to stay over the weekend. She loved it. She loves politics.

You mentioned Roger Boas. My wife was his first campaign manager, the year he ran for supervisor. She was one of the founders of Jackie, for example, the group that provides foster homes. She's also one of the founders of the Democratic Women of the Bay Area. As soon as you start one of these things and get it going, everybody else moves in. She's now a docent over at the California Academy of Science, and in Friends of Park and Recreation, American Women for International Understanding. (That's the Behrens's outfit.) She's also a director of the Humane Society of the United States.

Fry: That's because of your cat that won't come out from under the bed when I'm here.

Lynch: She generally won't anyway.

Fry: Also, didn't your wife run the northern California campaign for Richard Richards, back in 1956?

Lynch: Yes. She also was on the--she's never forgotten this one--she was one of the chairman for Richard Graves when he ran. She said the first time she saw him, she thought he was standing in a hole. [laughter] He's only about this high. Somebody got her into that--Bill Malone or somebody. She's very active in many, many things. She knows everybody in town. Everybody knows her, really a great friend. A lot of people in town admire her, like Ben Swig. And Louis Lurie used to admire her so much, and the Schwabachers and the Strausses. She knows all the Jewish people in town. They're all her friends.

Campaign Fundraising

Fry: Did she help you raise campaign funds?

Lynch: No.

Fry: Some of my friends who are wives of judges are kind of a help.

Lynch: No, I wouldn't get her into that. That's demeaning. That's begging. It's a bad picture. I could get money from somebody like Ben Swig. She could get money, but there's no reason why she should do it. He'll put the money in my campaign. We didn't go around trying to get money from people that we didn't know would give money. Let's put it that way. Consequently, we didn't raise an awful lot of money, compared to the millions they raise today. It was $200,000, something like that. But I'd say most of those were small donations, except some guy like Gene Klein or Lew Wasserman of Universal Pictures, or Joe Albritton who just bought the Washington Star and owns Pierce Brothers' Mortuaries and a million other things. Those were people that were friends of mine. They just gave me a lot of money, not really a lot compared to today.

Fry: Who was your fundraiser? I don't have that name. Or your fundraisers?

Lynch: We didn't have fundraisers.

Fry: Or treasurer?

Lynch: We had treasurers.

Fry: Who was the person that collected the money? Or did you have to do that yourself?

Lynch: I never collected a nickel. I never collected a five-cent piece. Down south it was Richard Keatinge, a lawyer. He spells it i-n-g-e. In northern California I'm not sure who the treasurer was. It might have been Ann Alanson or somebody like that. I don't know.

Fry: Did the Democrats in the state help you any?

Lynch: No. I didn't ask for it. They don't.

Fry: I know usually they don't. Sometimes they have some money to give out. Of course, you looked like a pretty safe candidate, I suppose, with those polls. You won the primary four to one.

Lynch: Most of the active, gung ho Democrats know that I'm a registered Democrat, and always have been, but I'm a nonpartisan Democrat because I've always held what amounts to a nonpartisan office, even as the attorney general. Even though you run as a party candidate, you get into an office that is nonpartisan. You promote Democratic philosophy, consciously anyway, as the governor does.

Fry: What about the Republicans in this campaign of yours? Did you have a Republican committee too?

Lynch: I don't know. We probably did, yes, because we had lots of Republicans. I know the people who were very prominent. One that I think I always laugh about--I got money from Howard Ahmanson. I got money from Asa Call, who's Mr. Republican down in southern California. They didn't raise funds, they just gave me money. I found out later I got money from Howard Hughes, but not directly. I got it from Robert Maheu Associates. Maheu was Hughes's outside man. He claims he never met him--now suing him for millions. Maheu tried to give me a lot of money for Pat Brown when Brown was running against Nixon, but I wouldn't take it when I found out he was giving the same amount to Nixon. He never got over that. Strange man. All this litigation started before Hughes died. You'll see Maheu's name on there. He was the number one man that carried out all the orders.

Fry: Was he the one that Hughes kicked out?

Lynch: Yes. Hughes told him he was "robbing him blind." He made that public statement. He's a former FBI man.

Fry: Did you use television in your campaign?

Lynch: No, none. I was told by friends of mine in TV and radio not to use it, number one. I got in on news programs run very skillfully by--

Fry: That's even better. [laughs]

Lynch: Yes, it was free. But as far as using it as a campaign medium, no.

Fry: How did you get in on news programs?

Lynch: You were news.

Fry: You were an incumbent.

Lynch: Yes, you were legitimate news, as long as it wasn't a political thing. I used radio, but I didn't do the ads myself. People know that you are for yourself for election, so you don't impress anybody. I think that's a large waste of money. But when somebody else comes on who is known and has a name--like an Orange County I had the district attorney for me. He's a Republican, and his name was Williams. Everybody knew him in Orange County. He said, "My name is John Williams. I'm the district attorney of Orange County, and I'm voting for Tom Lynch for attorney general." Period. I had lots of little shots like that.

Fry: Speaking of Orange County and people on the end of a political spectrum, I noticed somewhere in here that the Democratic clubs were complaining about something. I just wondered if you had problems in getting the support of that aspect of the Democratic party.

Lynch: I didn't ask them. I had nothing to do with them. I went to their meetings if they invited me. I didn't solicit the CDC. I didn't go to their convention, and I didn't ask for their endorsement.

Fry: They endorsed Bennett.

Lynch: They endorsed Bennett, and they were left without a candidate. They voted for me anyway, because a lot of people who belong to Democratic clubs are not really CDC'ers, in the sense that we consider them as far-out liberals. They's not. I belonged to two clubs here once, just because they asked me and made me honorary members.

Sue Bierman down the street here is on the planning commission. She's on the county committee. She's a left-winger and a delightful woman. But she'd vote for me even though the CDC would endorse somebody else. I think there are many, many others. The Joe Wyatt's and the people like that who are promiment in the party, they were supporting me, although they were CDC'ers and officers in the CDC--no problem.

Fry: I've run out of questions, so this ends our interview. Thank you very much.

X A NOTE ON RONALD REAGAN

On January 20, 1981, Mr. Lynch had watched Ronald Reagan's inauguration as president on television and was in a reminiscing mood when editor Gabrielle Morris of the Regional Oral History office arrived at his San Francisco home to go over questions on his interview transcript.

Asked how it had been to be a Democrat and attorney general of California during Republican Ronald Reagan's first term as governor (1967-1970), Lynch replied that they got along all right; Reagan was cordial and a fine man, but he was a lightweight.

Lynch remembered only once that he and Reagan tangled significantly. When the voters threw out the fair housing bill (Proposition 14 in 1968) and the state supreme court overturned the initiative, Reagan's office put pressure on Lynch to appeal the decision. Reagan called Lynch to insist further and Lynch, admitting now that he had stretched a point, resisted, telling the governor he couldn't intervene because he was the lawyer for the court.

Reagan replied that that was the end of the road for their relationship; but Lynch recalled that they got along all right subsequently. In fact, Edwin Meese III on occasion consulted with him on judicial appointments.

Reagan was a 9 to 5 governor who did not carry the entire burden of the office. He wanted strong people around him to carry the responsibility. He preferred it that way, in contrast to people like Lynch, who described himself as wishing to dominate whatever office he was in. For instance, when he was district attorney, once when he took Cecil Poole, his chief assistant, to task, Cecil laughed and said, "I know. Poppa makes the jokes."

Lynch did observe a change during Reagan's governorship: at first he had strong people around him, like Robert Finch, and Houston Fluornoy and Ed Meese, but in his second term those close to him were less able. Lynch expressed some fears for the Reagan presidency, seeing danger, for instance, in the proposed appointment of Alexander Haig.

As the only Democrat retaining statewide office after the 1966 election, Lynch did not recall a rebuild-the-party effort. He was always in nonpartisan office and was a behind-the-scenes politician. As a chairman in many major campaigns over the years, his style was to secure the support of persons around the state and to go around in person to stay in touch with how things were going. These key persons were primarily large contributors and generally did not bother themselves with holding office in the party, with a few notable exceptions like the grand old Democrat, Roger Kent.

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(1904-1986) San Francisco Chronicle, 5/29/86

Ex-State Attorney General Thomas Lynch Dies at 82

Thomas Connor Lynch, a former California attorney general and San Francisco district attorney, died yesterday at Mount Zion Hospital from cancer at the age of 82.

Mr. Lynch, who brought dignity, excellence and integrity to his profession, was the only Democrat to win statewide office during the Reagan sweep in 1966.

As attorney general, he widened the scope of the office. He established a consumer bureau and turned the office toward what he perceived were the major challenges of the day: environmental control, air and water pollution and noise abatement.

Early in 1970, he announced that he would not run for re-election. He retired at the end of that year — after 37 years of public service — to enjoy the rest of his life with his family and to practice law.

Mr. Lynch was born in a house on Noe Street in San Francisco on May 20, 1904. He was named Thomas Connor after an uncle, Thomas M. O'Connor, a prominent criminal lawyer who was the father of San Francisco's former city attorney, Thomas M. O'Connor.

The future attorney general's mother, Mary O'Connor, died when he was 3, and his father, Patrick, an immigrant from County Kerry, perished while trying to rescue a fellow worker from a sewer excavation cave-in in 1913, when the boy was 9. A Carnegie Medal for Heroism was awarded posthumously.

Young Tom was reared by two uncles — his attorney uncle and John Lynch, a policeman — in the Mission District, attending Mission Grammar School and St. Ignatius Grammar School. He worked at Fireman's Fund Insurance to get through Santa Clara Preparatory School, now Bellarmine, then attended Santa Clara University and the University of San Francisco Law School.

After passing the bar in 1930, he began became an insurance underwriter, supervising Fireman's Fund activities in Arizona, New Mexico and Southern California.

He was appointed a deputy U.S. attorney in 1933 and handled a variety of criminal cases over the next 10 years, including the prosecution

THOMAS LYNCH
A Kennedy Democrat

of 10 people who harbored Baby Face Nelson, a notorious criminal of the Prohibition era.

San Francisco's new district attorney, Edmund (Pat) Brown made Mr. Lynch his chief deputy in 1943. The postwar years saw Brown, with Lynch as his "good right arm," leading a cleanup of gambling, abortions and prostitution in San Francisco. Lynch personally prosecuted many of the defendants, and the underworld — and policeman who had been sympathetic with the underworld — came to stand in frightened awe of Mr. Lynch's cool courtroom manner.

"I was a mean bastard in those days," Mr. Lynch later recalled.

Brown, who went on to be attorney general and then governor, called Mr. Lynch "a badge of integrity."

Although Mr. Lynch was a Democrat, Republican Mayor Elmer Robinson named him district attorney in January 1951 when Brown took office as state attorney general.

In November of that year, Mr. Lynch ran for the district attorney job he had been appointed to, standing for election for the first time. He was swept into office by a 3-to-1 vote and thereafter never had opposition as district attorney.

Mr. Lynch quietly assumed a leading position in the Democratic party in California. He was campaign chairman for Presidents John F. Kennedy and Lyndon Johnson and for Governor Brown's re-election in 1962.

In 1964 he was appointed state attorney general by Governor Brown, to succeed Stanley Mosk, who was elevated to the state Supreme Court. Two years later, when Brown lost to Ronald Reagan, Mr. Lynch was the only Democrat in California to retain his statewide office.

Mr. Lynch analyzed his separation from the rest of the Democratic party in California in a characteristic comment: "I'm an unreconstructed Kennedy Democrat and that's something like being a Harvard man at a Yale reception."

He was appointed a member of the President's Commission on Law Enforcement and the Administration of Justice in 1965, and also served on the Commission on Obscenity and Pornography.

Until about 10 years ago, Mr. Lynch was still partially active in the practice of law with Hansen, Bridgett and Marcus.

He traveled extensively in both Europe and in Asia, "enjoying ill health," he said.

Mr. Lynch's principal recreation was fishing. He bought and rebuilt an old Monterey fishing boat, which he kept in Sausalito. Although the boat was originally named the Glorianne, he said that because it was an Italian boat it should have an Italian name. So he called her the Joey, after former Giants infielder Joey Amalfitano.

In addition to his wife, Virginia, Mr. Lynch is survived by two sons, Michael of McLean, Va., and Kevin (K.C.) of Santa Clara and by four grandchildren.

The rosary will be recited at 7:30 p.m. on Sunday at St. Agnes Church at Page and Masonic streets. A memorial Mass will be said on Monday at St. Agnes at 11 a.m.

Contributions are preferred to the University of San Francisco School of Law, Golden Gate and Parker avenues, San Francisco, 94117 or to the Humane Society of the United States, 2100 L Street NW, Washington, D.C., 94132.

Editor's note: Thomas Lynch, who served as attorney general of California from 1964 to 1971, passed away in San Francisco on May 29, 1986, at the age of 82 and after a lengthy illness. His former press secretary and special assistant, Tom McDonald, wrote this memorial to Lynch at the request of the current attorney general, John Van de Kamp. It was published in a Department of Justice newsletter, and Van de Kamp sent it on to us because he thought it deserved a wider audience. We agree.

Tom Lynch

Thomas Connor Lynch was a splendid man. He was also a great attorney general. Tom, moreover, was a challenging man. He moved through life with Irish aplomb — a trail of cigarette ashes, jailed crooks, loyal friends and a loving family. He ignored physical adversity and emphasized personal and professional dignity. And, most of all, honesty. I think that blue, pin-stripe suits were invented for his long, lean frame. He challenged everyone to meet his standards.

"So you think you know all about the attorney general's office," Tom said at our first meeting in the panelled office of the attorney general in San Francisco. He then walked over to the wall and rapped on one of the panels. It opened to reveal a bottle of bourbon and a deck of cards. "Been there since Pat (Brown) was A.G. You didn't know about it. Stanley (Mosk) didn't know about it. I did."

Tom also had advice for every occasion. He told me that if I was ever invited to join the cops in hauling a body out of San Francisco Bay to "wear old clothes, a Hawaiian shirt is nice, and smoke a cheap cigar, so you don't smell the stiff."

A quotable man, Tom was fond of making the right decision in a key situation and then announcing, "I didn't go to school just to eat my lunch."

Tom also had a lovely disdain for Los Angeles. It took me a year to convince him that Angelenos were really standing in line to buy hamburgers at Tommy's Original Hamburger Stand at Rampart and Beverly. Tom was convinced that Angelenos would only line up at a shack like Tommy's to buy drugs.

Thomas Connor Lynch: fiercely proud of his sons . . . lovingly proud of his wife . . . surveying his one and only San Francisco from his Twin Peaks aerie . . . worried about his friend Pat Brown's campaign for a third term . . . stunned and saddened at the death of his friend Senator Gene McAteer . . . advising new Governor Ronald Reagan on how to handle a news conference . . . prosecuting most of the tax assessors in the state . . . cooly handling relations between the state government and Los Angeles Police Chief Bill Parker during the Watts riots and insisting that his role never be publicized . . . driving through the rain-slick night-time streets of Washington D.C. with Labor Commissioner Jack Henning to see a statue of Robert Emmett. Tom Lynch was a piece of work.

He could also wither fools with a glance.

He was a speech writer's delight. He had a voice that made the dullest prose sing.

I remember a speech he particularly liked. He delivered it at the end of his campaign in 1966: "I have not toured a single shopping center. I have shunned all campaign junkets. I have not participated in a single 'old-fashioned political rally.' And although I have traveled throughout the state, I have carefully avoided the hustings — whatever they are. While John F. Kennedy brought a new grace and style to politics, I have discovered this year that his eloquence has already been translated into a new handbook of political clichés for some of the most tattered political windsocks."

It was an interesting time in the attorney general's office. But I must admit that occasionally working with Tom Lynch and Charlie O'Brien, I felt I was the younger brother in (Eugene O'Neill's) "*Long Day's Journey Into Night.*"

When Tom visited my home in Los Angeles, he insisted on a ritual departure, a Clancy Brothers song full blast on the stereo:

"Fill to me the parting glass,
Since I must rise and you may not.
Oh, all the comrades that e'er I had
Are sorry for my going away
And, the only sweetheart that e'er I had
Would wish me one more day to stay.
But, since it falls unto my lot
That I should rise and you should not,
I'll gently rise and softly call,
Good night and joy be with you all."

APPENDIX -- Attorney General Lynch's notes on "The Buffalo Hunters"

THE BUFFALO HUNTERS

On February 20, 1962, while enroute to Sacramento with Tom Saunders and Ben Swig, Saunders first brought up the fact that Don Bosco was promoting a buffalo dinner to be held in San Mateo County. This dinner was being promoted by two friends of Bosco, Ed Nagel and Bud Basolo, according to the information that Saunders had at that time. One of these latter two characters who are friends of Bosco's had obtained an interest in a buffalo herd in Wyoming and he was promoting the dinner at which $50,000 was to be raised, with entertainment being provided by Nat King Cole. In addition to the plans for the dinner, the parties involved had also planned a press conference to which they had invited all of the political editors of the San Francisco and Peninsula newspapers, this newspaper conference to be held at Doro's Restaurant on Wednesday, February 21, 1962. I inquired as to who gave permission for this operation but Saunders had no other details. My concern at this time was that we did not know who these people were and I felt that political problems would be raised by the fact that Mr. Bosco was invading San Mateo County. Obviously there were many points which seemingly should be ironed out, such as the identity of the people promoting the dinner, how the profits were to be shared, the inclusion of San Mateo people in the operation, etc.

Upon arrival in Sacramento, a budget meeting was held where Bradley, Lerner, O'Brien, Roth, and others were present. At the conclusion of the meeting, which was the one where the Lerner fee remained unmentioned until the end of the day, I brought up the subject of the buffalo dinner. It was obvious that Bradley and O'Brien were familiar with the planning and both expressed an attitude that they would like to do something about it but didn't know quite what they should do. I expressed myself to the effect

that we should take a good look at any fund-raising enterprise from all points of view, including the types of donors, the reputation of the people promoting it, and whether or not there might be any political repercussions.

On the following morning, February 21, 1962, I received a call from Tom Saunders, who was, I believe, in Salinas, and was with Dick Kline. Saunders stated that Kline wished to have me get in touch with Nagel and Basolo with the idea in mind of holding off on the arrangements of this dinner until the whole affair could be thoroughly examined and if necessary, the proper people, both in San Mateo and in the campaign, be made privy to the plans. I asked specifically at this time if this was something that came from the Governor and the answer was yes. The gist of the conversation was that while this buffalo dinner might be an acceptable thing, nevertheless it should be carefully scrutinized and, if possible, put under the guidance and direction of someone in the campaign, like Jack Abbott. I stated that if this was the Governor's desire, I would talk to Mr. Nagel and Mr. Basolo.

Pursuant to this conversation, I called Ed Nagel at EM 9-8278. I explained to Mr. Nagel who I was and that I was asking specifically that they withhold activity on the plans for the buffalo dinner until such time as everyone could get together and have a thorough understanding as to what was going to take place. Mr. Nagel was belligerent in his attitude, stating among other things that he didn't care whether we approved it or not, that they were going to have a dinner, that Nat King Cole was to be the entertainment, that if we didn't want the money he would give it to George Christopher, and that he had already sold a lot of tickets, including $3,000 worth that he had sold to a friend of his in New York with a telephone conversation. I asked him who his friend in New York was and he refused to tell me. I explained to him that that was one of the points involved -- that we wanted to know who the contributors were. The

conversation with Nagel lasted about ten minutes, during which time his entire attitude was whether we liked it or not, they were going to put on the dinner and they didn't care whether the Governor showed up or didn't show up. At the conclusion of the conversation we discussed the press conference. I told him that inasmuch as this was being held in San Francisco County I would like to know more about it, because I undoubtedly would be called upon by the press to express some views on this event and I didn't relish the idea of having to plead ignorance to any of the planning. Mr. Nagel's parting shot was, "Then you don't even want us to have a press conference." I replied, "Not at this time." I repeated to him several times that undoubtedly arrangements satisfactory to everyone could be worked out for the dinner, but at this time we were just recommending that the activities slow down a bit until everyone had full knowledge of the plans.

Some time later in the morning a call came in from Bud Basolo at DI 3-4574. I was out of my office at the time and when I returned I placed a call to Mr. Basolo. The man who answered the phone stated that Mr. Basolo was on a long distance call and would call me back as soon as he was finished. My call was placed in the forenoon and Mr. Basolo has not to this date returned the call. My call to him was placed at 11:15 and I waited in my office until after 12:30 for a return call.

On March 20, 1962, I went to Sacramento for a 4:00 appointment with Governor Brown and Sen. Richards. Governor Brown requested that I proceed on to Stockton to the Alan Short Dinner. Dick Richards, Tom Saunders, Gov. Brown and I left Sacramento at approximately 6:00 p.m. for Stockton. Enroute the Governor said that we had to stop at Otto's to meet Don Bosco. When we arrived at Otto's, which is a few miles out of town, waiting in the parking lot were Don Bosco, Bud Basolo, Ed Nagel, plus a Highway Patrol car, a Sheriff's marked car, and at least two motorcycle policemen. Basolo and Nagel were

clad in cowboy boots and cowboy hats. It was obvious that their intention was to form a motorcade with sirens and red lights so that they could arrive at the Stockton Fairgrounds with the Governor, to the edification of the populace. This purpose was perhaps inadvertently thwarted by the Governor, who suggested that we all ride in one car and dispense with the entourage. Inasmuch as Tom Saunders and Dick Richards will be prepared to testify against me, I will admit that I applied the needles to Messrs. Basolo, Nagel, and Bosco regarding their buffalo dinner.

At the conclusion of the Short Dinner, we all drove to Dan Nomellini's house, where he received as a very gracious host. I sat at a small table with Nagel and Tom Saunders and at that time stated to Mr. Nagel that I hoped that he was not under the impression that he had made any yards with me by reason of the fact that he had gone behind my back to get the Governor to overrule me. My exact words were, "Don't be carried away by any of your early successes." Mr. Nagel spent the next 15 or 20 minutes telling me what a great guy he was and how he and Basolo really knew how to operate politically in San Mateo County. He did have a drink or two, but certainly was not under the influence of liquor, but carried away by some emotion, perhaps in an effort to impress, he asked me if I knew his uncle who had founded the Regal Amber Brewery. I asked him if he was related to the Campodonicos. He said no; his uncle was John Marino. He seemed a little bit shocked when I mentioned to him that I knew his uncle as a rum-runner and bootlegger. I then asked him if he was related in any way to Soap Marino, Bible-Back Marino, or Baloney-Nose Marino. Mr. Nagel stated that Soap was not related. He then added that "you know, he went to the Penitentiary for harboring Baby Face Nelson." I told him that I knew that because I had prosecuted him. He also remarked at least six or seven times that he was a great friend of Sheriff Carberry and a friend of Sheriff Whitmore, remarking that Carberry was a

frequent visitor to the many affairs that Nagel and Basolo put on in San Mateo County. At another stage of the conversation he stated in the presence of Tom Saunders that he was prepared during the last election to raise $25,000 in order to defeat Keith Sorenson.

While we were in the car in transit to Nomellini's, either Basolo or Nagel presented me with two tickets to the Buffalo Dinner and asked me if I would be the master of ceremonies. On April 11, 1962, from a confidential source I learned that Basolo's right name is DiNatale Basolo, that he has an interest in the Del Monte Meat Company, and that he has been popping off around Santa Clara County that he and Nagel are going to raise $250,000 to beat me at the next election. He has taken umbrage because he found out that I was investigating him. On Wednesday, April 11, in the afternoon, I attended the budget meeting in the Governor's Office, San Francisco, where were present the Los Angeles representatives of the Finance Committee, plus Roth, Abbott, Thacher, Lerner, O'Brien, Huff, and Bradley. At the conclusion of the meeting I again brought up the buffalo dinner and Bradley remarked without any amplification that the buffalo boys were sore at me because I was investigating them.

On April 13, I obtained information that a friend of Basolo and Nagel, whose name is known to me, made the statement in the presence of a number of San Mateo Democrats that the union leaders in San Mateo County were promoting a $100.00 dinner for the Governor, that Mr. Basolo was donating the buffalo meat and also obtaining the services of Nat King Cole plus other entertainment from Las Vegas. The tickets were going fast and anyone who wanted to get on the bandwagon could "put their money where their mouth was." These remarks were made by one Merritt Schneider. From the same source on the same day I learned that Basolo and Nagel are close friends of Sheriff Whitmore and have taken him on all-expense-paid buffalo hunts in Wyoming and deer hunts in Nevada. A rumor has it that

they were arrested in Nevada for not having proper licenses or deer tags.

From still another source, I learned that Mr. Basolo's anger now directed toward me arises out of the fact that he believes that I am investigating the woman proprietor or operator of the Pioneer Inn at Woodside (where the buffalo dinner is to be held). It seems that this estimable lady had an alleged robbery in December or January past and that there is some suspicion that it may have been an inside job. How it can enter Mr. Basolo's little mind that I could possibly be investigating this lady for any purpose is a portion of the story that becomes a little baffling at this time. Nevertheless, this is what he is now popping off about.

Attorney General Thomas C. Lynch

Newspaper Notes from California State Library Catalog

(From San Francisco Chronicle unless otherwise noted)

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accepts unofficially, 8-12-64, 1/4
official appointment--effective September 1--and statement by successor: John Jay, 8-17-64, 1/7, 4/1, (portrait) and 8-18-64, 1/2, (portrait)
Ferdon, editorial, 8-19-64, 42/1
Sworn in, 9-1-64, 9/1 (portrait)

Brown, Lynch Differ on Death Penalty, Jackson Doyle column, 8-23-64, 32/3

Vows jointly with Pat Brown to campaign, for greater respect for law and order in California, 9-2-64, 5/7

Brown criticized for writing letters to Lynch, 9-4-64, 9/1

Assails Proposition 14; to speak on issue at California Labor Council on Political Education convention in San Francisco on September 18, 9-14-64, 12/4

Attacks Proposition 14, Anti-Rumford Act, at $50 plate dinner, San Francisco, sponsored by Californians Against Proposition 14. 9-30-64, 2/6

Speaking at State Bar (Santa Monica) convention, outlining program to "strengthen rule of law" in California, 10-1-64, 17/1

Advocated tighter state controls on concealable weapons--Assembly subcommittee hearing, 10-20-64, 9/1

Points out dangers if Proposition 16 establishes lottery in California, 10-30-64, 20/2

Intends to seek legislation outlawing private military groups in California--LA Lawyers Club, 11-19-64, 1/3

Announcement will seek election to 4 year term in '66--before Democratic State and County Central Committees' meeting in Dallas (Dallas?), 11-20-64, 24/2

Criticizes state Supreme Court's decision in the Robert B. Dorado case, to ask U.S. Court to overturn it, 2-2-65, 5/1; Files brief with U.S. Supreme Court requesting overturn of state Supreme Court's decision, 3-20-65, 34/7

Proposals for new narcotic laws, to be introduced by 5 legislators, 2-5-65, 6/5

Will seek new state laws to combat racial discrimination--speech before Nisei Veterans of Foreign Wars, San Francisco, 2-23-65, 5/1

Called in as peacemaker between Governor Pat Brown and Commissioner William M.[name omitted]; Dispute over El Paso Natural Gas Co., 2-25-65, 1/4; 2-27-65, 2/4; 2-28-65, 1/5

To attend meeting of Attorneys General in Washington D.C. to discuss Federal lawsuit against southern states where Negroes can't vote, 3-16-65, 15/1

Endorses legislation to end consumer frauds (speech, Alameda County Bar Association), 3-17-65, 20/1

Statement regarding Federal, state, local officers' raid on LA Ordnance plant, whose cache of new machine guns were destined for California's private armies, 3-27-65, 1/3

Reports rifle belonging to California Extremist Leader, Terrell Cady, found in cache, 3-28-65, 11/5

Reports Erguiaga Arms Co. had no permit to export weapons, 3-30-65, 9/1

Proposes legislation aimed at practice of "block-busting" by realtors--bill to be introduced by Sen. George Miller, Jr., 4-6-65, 17/1

Report to legislature: paramilitary organizations are a "threat to the state;" McAteer bill, which he requested, to be considered at Senate hearing tonight, 4-13-65, 1/5

Praises '65 legislature for its drug legislation, 6-23-65, 46/8

Appointment as member of newly established National Crime Commission by President Johnson, 7-27-65, 1/7

Says '65 legislature was "best for law enforcement in more than a decade,", 8-5-65, 8/3

Speaker at convention of State Bar of California in Sacramento on civil disobedience, riots, and crime, 9-23-65, 8/2

Speech before Jewish Federation Council in Los Angeles: Minutemen are moving out of California, 10-5-65, 23/1

Assembly Committee investigating assessor scandals: statement on assessment practices discrepancies, 10-8-65, 12/1

Testifies before Assembly Municipal and City Government Committee hearings, San Diego, 10-16-65, 2/7

Speech, North Hollywood, criticizes anti-war protest matches, 10-21-65, 18/3

Recommends legislation to control use of new miniature rocket handgun which is in production, 11-6-65, 11/8

Appointment as chair of new Council on Crime and Justice by Pat Brown, 11-30-65, 8/2

Forms statewide Citizens Advisory Committee to create "a new relationship between the public and police in speech before State Sheriffs Association meeting in Santa Cruz, 12-3-65, 10/1

Proposes 2% ceiling on real estate taxes at Assembly Committee on Municipal and City Government in San Francisco, 12-10-65, 1/1

Recommendations for sweeping reforms in assessors' offices, letter to Assembly Interim Committee, 1-23-66, 2/5

Accuses federal agencies of neglecting responsibility for narcotics enforcement at Mexican border, in Senate Judiciary Subcommittee on narcotics, Washington, D.C., 1-26-66, 10/2

Reply by federal narcotics agents, 1-27-66, 15/1

Statement on titling constitutional amendment to legalize marijuana, to which he is opposed, 1-20-66, 26/3

Announces he will campaign against initiative, 2-4-66, 6/1

Calls preliminary meeting in LA, May 10, to plan fall conference on control of LSD and DMT drugs, 4-13-66, 2/3

Comment on U.S. Supreme Court's ruling on 5th Amendment regarding self-incrimination and effect on California Supreme Court's Dorado decision, to explain decision at Sheriffs' state convention (no source given)

Report on threat of private armies, arsenal discovered, 7-5-66, 1/5

Opposes obscenity initiative, Proposition 16, speech to Peace Officers in southern California, 9-29-66, 2/1

Petition to prohibit reactivation of Ku Klux Klan in California, (no source given)

Urges legislature investigate political campaign funds, 10-7-66, 8/6

Tighter gun laws, Assembly Criminal Procedures Committee, 10-15-66, 5/6

Opens Northern California Conference on "drug abuse" in San Francisco, stresses dangers, 10-26-66, 1/3; 10-27-66, 1/2

Urges legislation to outlaw private ownership of heavy military weapons in speech in San Diego where he lsited weapons found in California over past 2 years, 11-3-66, 4/4

Report on California crime in joint press conference with Ronald Reagan, governor elect, 12-1-66, 1/4

Suit filed against Lynch by William V. Fowler, California KKL Chief [sic.; KKK?] demands he resign or join appeal of state Supreme Court decision nullifying Proposition 14--housing, 12-3-66, 23/1

Brown reveals that if he were elected he would have Lynch appointed to State Supreme Court, 12-9-66, 12/1

Partially supports Ronald Reagan's six point crime abatement program, which he submitted to legislature, 1-18-67, 1/6, 20/4

Urges support for request for funds to speed state toward automated crime fighting at Palo Alto meeting, 2-4-67, 2/5

Plea to state board of education for compulsory teaching regarding dangers of narcotics, 2-11-67, 2/1

Announcement plans to ask U.S. Supreme Court to agree with California Supreme Court that Proposition 14 unconstitutional; Opposition to Ronald Reagan's views on ruling, 3-3-67, 12/1

Files brief denouncing Proposition 14; Ronald Reagan still disagrees, 3-7-67, 8/1

Proposes gun control bill to be introduced next week by Assemblyman W. Craig Biddle, 3-22-67, 12/7

Ruling: "Land of the Free" text must be used by all 8th graders in state (no source)

Endorses anti-smut bills, senate judiciary committee, 4-7-67, 1/4, linked to San Jose obscene book trial

Massive study, murder in California, 4-12-67, 10/5

View of Miranda, 4-23-67, 28/6

Tribute to late Gene McAteer, 5-27-67

Comment on U.S. Supreme Court ruling that Proposition 14 unconstitutional, 5-30-67, 20/1

Halts cut rate chartered trips to Europe, false and misleading advertising, 6-13-67 to 6-24-67

Computer link with FBI, 7-4-67, 2/1

Enters Stanford Medical Center, Corrective bladder surgery, 10-12-67, 7/4

Appointed Chairman, California Council on Criminal Justice established by '67 legislature, 2-28-68, 59/3

Death threat, 6-8-68, 10/4

Testimony, Senate Juvenile Delinquency Subcommittee, Washington, D.C., stricter gun control laws, 6-29-68, 5/3

Contracts for construction of California's new $5 million computerized crime communications network will be signed this week, 11-26-68, 6/1

Denies plans to retire, not run in 1970, 2-20-69, 6/7

Reported as announced candidate for re-election, 10-8-69, 5/5

Mention he has formally announced candidacy, 10-11-69, 7/2

Criticized by opponent (State Senator John Harmwr [sic]), 10-29-69, 7/1

California poll on attorney general race, 11-21-69, 20/1

Announces will not seek re-eleciton, 1-20-70, 1/2, 16/4 (portrait)

Report on organized crime in California, result of investigation by new crime unit, 6-4-69, 10/1

Says saw new evidence that marijuana led smokers to stronger drugs, 9-11-69, 1/4, 30/5
Acknowledges he is speaking in opposition to Assistant Secretary Roger O. Egeberg, 9-11-69, 1/4

Refuses to represent State Superintendent Max Rafferty in censorship suit the San Francisco Board of Education filed against him, 9-16-69, 33/4

Accused of underplaying growth of organized crime in California by Spencer Williams, Human Relations Agnecy Secretary, 9-25-69, 10/1

Lynch: low salaries for deputies causes 50 to resign in six months, 12-5-69

Appointment to State Supreme Court rumors, 1-22-70, 9/4

Confirms he'll join law firm of Hanson, Bridgett, Marcus, and Jenkins, 1-5-71, 6/6

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Announces candidacy, 10-4-65, 11/1, (in San Louis Obispo)
Expects no challenge from LA Mayor Yorty, 1-8-66, 4/8
Will start vigorous campaign, Feb. 1, 1-9-66, 14/5
Official announcement to be Jan. 28 [and it was], 1-21-66, 8/2

Challenged to debate by William M. Bennett, 2-16-66, 9/2

Endorsed by Congressman Phil Burton, 2-19-66, 5/6

Accused of hiding behind skirts of two prominent Democratic women and Pat Brown by William Bennett, 3-4-66, 9/4

Appoints San Rafael ex-District Attorney Roger P. Garety and Hadden Roth, co-chairs, Marin--
Northern California co-chairs: Senator J. Eugene McAteer, San Francisco attorney Gerald Marcus, 3-15-66
San Francisco Supervisor Roger Boas, chair San Francisco committee
Joseph C. Houghteling, chair of his campaign, 3-25-66, 13/1

Loses San Francisco's AFL-CIO endorsement to William Bennett*, 3-26-66, 2/7

Endorsed by Northern California District Council, ILWU, 3-31-66

Endorsed by United Steelworkers, 4-7-66

*Endorsed by AFL-CIO only after heated debate, 4-9-66, 6/3, Johns feud

Article, "That Busy, Busy Lynch", Examiner-Chronicle, 5-8-66, 3/1 (portrait)

California Democratic Council reports shortage of Funds and Voter lists because they endorsed Bennett over Lynch, 5-10-66, 7/1

Testimonial dinner May 25, Pat Brown to attend (700 attended, spekaer Lynch stressed police independence) (no source)

Bennett charges Lynch was beneficiary of questionable campaign contributions through Pat Brown, 5-27-66, 6/6

State poll: leads Democratic candidates by 43%, Examiner-Chronicle, 6-5-66, 20/4

Winner of Democratic nomination, 4-1 vote, (no source)

For interpretation of vote, 6-9-66, 12/3

State poll: leads over GOP Spencer Williams by 2-1, Examiner Chronicle, 6-26, 23/2

Appoints Don McGrew as Southern California campaign manager, 7-27-66, 30/3

Challenged to debate, Spencer Williams, 8-11-66, 19/3

Poll: substantial lead over Spencer Williams, 9-2-66, 1/3, 22/2

Accused of submitting expense accounts he was not entitled to by Spencer Williams, 9-24-66, 6/1

Hospitalized in LA, flu, 9-24-66, 6/1

More on expense account, Examiner Chronicle, 9-25-66, 26/6

Henning helps at fund-raising dinner, 10-5-66

Poll: still leading, 10-13-66, 1/1

Urges tighter gun laws, 10-15-66, 5/5

Endorsed by LA Times, 10-17-66, 10/8

Re-elected by nearly 450,000 vote margin, only Demo left in statewide office, 11-10-66, 1/4, 8

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